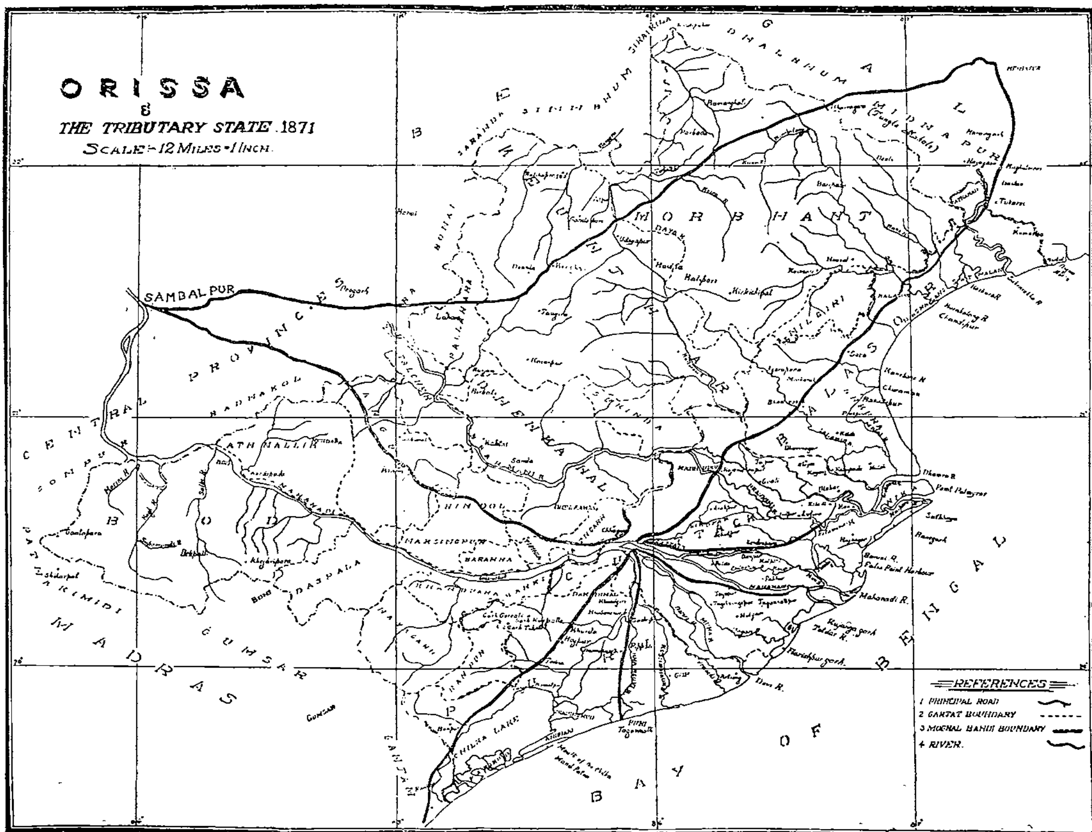
ORISSA
UNDER THE
EAST INDIA COMPANY



ORISSA
&
THE TRIBUTARY STATE 1871
SCALE - 12 MILES = 1 INCH
REFERENCES
1 PRINCIPAL ROAD
2 GARJAT BOUNDARY
3 MOGHAL BANDI BOUNDARY
4 RIVER.
SAMBALPUR
CENTRAL PROVINCE
MADRAS
GUMSAR
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BAY OF BENGAL
CHILKA LAKE
MAHANADI
NILGIRI
MORBHANJ
HINDOL
BARAMBA
ATHMALLIK
BAUD

ORISSA UNDER THE EAST INDIA COMPANY

by

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M.A., Ph. D.

with a foreword by

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IN MEMORY OF
MY FATHER

Foreword

The role of Kalinga in ancient times and the place of Orissa in middle and modern ages stand adequately acknowledged, but in the broader perspective of the Indian history, relative historical literature concerning Orissa had remained considerably less. The antiquities and monuments of Orissa, as evidences of past greatness, inspired the 19th century European and Indian scholars to work on Orissa history. Their attempts were indeed valuable in opening up avenues of research, though objective studies in the field were left for future scholars to accomplish. Similarly, for writing general history, Orissa holds good prospects ; but in a strict historical sense what is required is, research in periodwise and aspectwise divisions on exploration and examination of source material. In the context of the said desiderata, responsibility rests with young and devoted research scholars to make best of the advantage.

Dr. K.M. Patra, a promising young historian, has done valuable research in a field hitherto left unexplored. Political history everywhere having been paid more than the necessary attention, administrative and economic aspects are less known subjects in history. In case of Orissa, Dr. Patra has tried to redress the balance in a vital chapter of her history, namely, the first half of the 19th century when the East India Company ruled. It was an inglorious period in sad contrast to the bygone glorious epochs. The Company's administration provided descending wheels for a fallen state to decline further. Dr. Patra's work shows the process of that decline. He made one of the worst times the subject of his study, and did the most to throw light on those features which caused so much harm to the territory and its people.

The administrative legacies of the Company continued almost till the end of the British rule. To understand modern Orissa it is necessary to peep into the time of the

East India Company, for which, the book of Dr. K. M. Patra is a useful guidage.

M.N. Das

Vani Vihar,
9th December, 1970.

Contents

Abbreviations

BCHR	Balasore Custom House Records
BSR	Balasore Salt Records
BJP	Bengal Judicial Proceedings
BJ(C)P	Bengal Judicial (Civil) Proceedings
BJ(Cr)P	Bengal Judicial (Criminal) Proceedings
BRP	Bengal Revenue Proceedings
BRR	Board of Revenue Records
B(T)RP	Bengal (Territorial) Revenue Proceedings
CRR	Cuttack Revenue Records
CSR	Cuttack Salt Records
HC	House of Commons
JTC ...	Jagannath Temple Correspondences
Letters from the Court	General Letters from the Court of Directors
Letters to the Court ...	General Letters to the Court of Directors
Orissa Records	Guide to Orissan Records
PBCSO	Proceedings of Board of Customs, Salt & Opium
PBR ...	Proceedings of Board of Revenue
PBR(Misc.) ...	Proceedings of Board of Revenue (Miscellaneous)
PP	Parliamentary Papers
SNNR	Selections from Nagpur Residency Records
SRG	Selections from Records of Government
Survey & Settlement Report ...	Final Report on the Survey and Settlement of the Province of Orissa, 1890-1900.

Introduction

Modern Orissa constitutes the territorial nucleus of the past kingdoms of Kalinga, Utkal, Odra and Kosala. Those kingdoms covered a vast area in the historical geography of ancient India. In the medieval times the territories of Orissa are said to have extended roughly from the Ganges to the Godavari and from the Amarkantak to the Bay of Bengal. Even in the middle of the 15th century, the founder of the Surya Dynasty extended his empire as far south as river Kaveri. But the decline followed all too soon. From the beginning of the 16th century external aggression became virulent and when the Surya Rule came to an end, Orissa entered into a confused period of internecine struggle. The last independent king of Orissa, Mukunda Deva, was killed by his own countrymen while engaged in a prolonged struggle with the Afghan power of Bengal. In 1568, medieval Orissa lost her independence, being almost the last Hindu Kingdom of India to fall to the Muslims.

Before the Afghans could consolidate their power, the Mughals entered the field and in 1592 Mansingh annexed Orissa to Akbar's empire. The territories were apportioned into five 'sarkars' such as, Jaleswar, Bhadrak, Cuttack, Kalinga Dandpat and Raj Mahendri. Those 'sarkars' were included in the 'subah' of Bengal.[1] The hill territories were kept under a separate head in the revenue accounts of the empire. Their rulers became the Mughal feudatories and paid annual tribute to the Emperor. Soon after the settlement of Akbar, the 'sarkar' of Raj Mahendri and a portion of the 'sarkar' of Kalinga Dandpat were occupied by the Qutbshahi kings of Golconda. By the time of Jahangir, territories to the south of the lake Chilka had been separated from the Mughal dominion, and as such from the rest of Orissa.[2]

[1] Abul Fazl, *Ain-i-Akbari*, translated by H.S. Jarrett, Vol. II, p. 138.
[2] Beni Prasad, *History of Jahangir*, pp. 279-81. It is said that the territories of Khurda was in the boundary between Orissa and Golconda even in the early period of Jahangir's rule.

Following the death of Aurangzeb when the Mughal Empire began to disintegrate, Orissa passed under the rule of the virtually independent Nawabs of Bengal. The Nawabs, however, could not rule for long. Frequent Maratha attacks on the dominions of Aliwardi Khan, the Subahdar of Bengal, Bihar aud Orissa, finally forced him to surrender Orissa to Raghuji Bhonsla of Nagpur in 1751. The territories which were ceded by Aliwardi extended from river Subarnarekha in the north to the lake Chilka in the south and covered an area of about 8,000 square miles.[1]

Orissa during the Maratha rule possessed two distinct political divisions, 'Mughalbandi' and 'Garjats'. The former comprised of the plain and fertile lands in the coastal region and was thickly populated. The latter was a wild tract of lands covered by hills and forests with population sparsely distributed. The 'Mughalbandi' was under the direct administration of the Marathas but the 'Garjats' were held by several feudatory chieftains. They paid annual tributes to the Maratha Government, and the latter generally did not interfere in their internal administration.[2] The Raja of Nagpur appointed his Governor, styled as the Subahdar of Orissa, who administered the territories from his headquarters at Cuttack.

The British contact with Orissa began in the first half of the 17th century. Hunter says : "True to our national-character, we settled in Orissa as merchants long before we made our appearance as rulers".[3] One of the earliest British factories in India was established at Hariharpur in Orissa in 1633.[4] Subsequently other factories were established at Balasore on river Burabalang and Pipli on river Subarnarekha. "These two Orissa harbours", writes Hunter, "formed the basis of our future greatness in Bengal".[5] The British factory,

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[1] Fifth Report from the Select Committee on the affairs of East India Company, 1812, Appendix No. 4, p. 245.

[2] SNRR, Vol. I, pp. 36-8, Commissioners of Cuttack to Major General Wellesley, January 19, 1804.

[3] W.W. Hunter, *Orissa*, Vol. II, p. 37.

[4] C.R. Wilson, *English Chiefs at Balasore*, pp. 1-3. Hariharpur located in Cuttack district.

[5] W.W. Hunter, *Orissa*, Vol. II, p. 39.

at Balasore developed into a thriving centre of maritime trade. In 1670, of several factories in Bengal, Bihar and Orissa, Balasore was the seat of their chief and his council:[1] The preeminence of Balasore as a commercial centre continued for a long time. It declined in the 18th century when the East India Company's trading concerns were shifted to Hugli and Calcutta.

Orissa came within the orbit of East India Company's political interest after the Battle of Buxar. On August 12, 1765, Lord Clive got the Diwani of Bengal, Bihar and Orissa. The Orissa of the said grant was nothing more than the single district of Midnapore. The titular Mughul Emperor used the term 'Bengal, Bihar and Orissa' as those territories had long formed one administrative unit in the days of the Great Mughals. Soon after the grant of the Diwani, Clive made an attempt to get possession of Orissa proper through negotiation with the Marathas. In 1766 he sent Thomas Motte to Sambalpur to explore the possibility of diamond trade. At the same time he was required to meet the Maratha Subahdar at Cuttack to initiate political talks. Accordingly, Motte met Bhawani Pandit, the Subahdar, twice.[2]

In their first meeting Motte handed over Clive's letters to Bhawani Pandit. The latter reminded him of the 'just demand' of his master, Janoji Bhonsla on the East India Company for the arrears of tribute due from Bengal and Bihar. In reply Motte suggested that it would be better for Janoji to give up Orissa to the Company on payment of a stipulated sum. The Company was prepared to send a resident to the Court of Nagpur as a hostage in case of an agreement on above terms. On his return journey from Sambalpur, Motte again met Bhawani Pandit and reminded him that the best means of forming a closer connection with Clive would be 'to cede to him the province of Orissa for a stipulated annual sum'. Bhawani Pandit agreed to convey the matter to Janoji.[3]

[1] Charles Fawcett, *The English-Factories in India*, Vol. II, p. 325.
[2] The Asiatic Miscellany, Vol. II, p. 29.
[3] *Ibid*, pp. 65-6.

But nothing came out of Clive's policy to get Orissa by negotiation. Yet his successor, Verelst, vigorously pursued the same course for some time. After three years of negotiation, however, the attempt was given up as no progress could be made towards any settlement of the issue. Verelst declared that Janoji 'has studiously avoided any declaration of his sentiments'.[1]

The situation took a different turn after the death of Janoji Bhonsla in 1772. Internal dissensions became a regular feature of the Nagpur Kingdom. On the other hand, Warren Hastings who became Governor-General in 1774, took bolder steps to consolidate the British power. His diplomacy succeeded in bringing Mudhoji Bhonsla, the Raja of Nagpur, into close alliance with the British during the First Maratha War. The British troops were permitted to march through Orissa under the command of Col. Pearse. Inspite of such developments Warren Hastings also could not succeed in getting possestion of Orissa from the Marathas.

After the departure of Warren Hastings from India in 1785, Mudhoji, the weak ruler of Nagpur, came under the influence of the Poona Court, and he revived the obsolete Maratha claim of 'Chauth' over Bengal.[2] Lord Cornwallis did not admit of such a claim but he was aware of the necessity of conciliating Mudhoji, because, in case of war in the south, the British troops might be sent quickly from Bengal to Madras through Orissa. Therefore, towards the close of 1787, Cornwallis deputed George Forster, a civil servant on the Madras establishment, to Nagpur in order to induce Mudhoji for a defensive alliance with the British. The strength of Nagpur, according to Forster's report, was negligible. Cornwallis, therefore, came to the conclusion that "no advantage would be obtained from a connection with that government and so far from becoming formidable to the Company, it would always be to the interest of the Bhonsla to avoid giving them the slightest offence, as the province of Cuttack which belonged to him could, from its situation, be seized and possessed at any time with the ut-

[1] C.U. Wills, *British Relations with the Nagpur State in the 18th Century*, p. 31-2.
[2] *Ibid.*, p. 85.

most facility by the Company's troops of the Bengal establishment". Accordingly, Forster was ordered to return to Calcutta.[1]

Mudhoji died on May, 9, 1788, and was succeeded by Raghuji II. In December 1789 the long-expected war broke out between the English and Tipu. Circumstances compelled Cornwallis to send Forster once again to Nagpur in March 1790 to gain the support of the Bhonsla Raja. The latter agreed to help the cause of the British and permitted their troops to march through Orissa. Proper attention was paid and adequate facilities were provided to the British troops under the command of Col. Cockrell when they passed from Bengal to Madras through Orissa.[2]

From Clive to Cornwallis, the Company had tried to get possession of Orissa by peaceful means but had failed. It was left for Lord Wellesley finally to conquer Orissa during the Second Maratha War. The British conquest of Orissa in 1803 was an easy task for two reasons. First, the Raja of Nagpur had no adequate troops in Orissa to resist the British army and in fact, only feeble resistance was given to the enemy in time of occupation. Secondly, the British army had earned a sound knowledge of the topography of Orissa during their march through the territory on two previous occasions under the command of Col. Pearse in 1781 and Col. Cockrell in 1790. In 1803, they took only one month i.e. from September 14, 1803 to October 14, 1803 to occupy the province.

By the Treaty of Deogaon which was concluded on December 17, 1803 Raghuji Bhonsla ceded to the East India Company 'in perpetual sovereignty, the province of Cuttack, including the Port and District of Balasore'. Raghuji also agreed to confirm certain treaties[3] which had been concluded in course of the war with his feudatories by the British Government. The feudatory states or 'Garjats' which came under the control of the latter were sixteen in number, and

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[1] *Ibid.*, pp. 104-5.

[2] *Calendar of Persian Correspondence*, Vol. IX Nos. 247 and 290.

[3] Soon after the occupation of Cuttack, negotiations were started with the feudatories of the Bhonsla Raja and they were asked to accept the overlordship of the East India Company. Some of them agreed to the British terms and treaties were concluded accordingly.

they were generally known as the Tributary Mahals of Orissa. Two more 'Mahals' were added to the number in 1837.

Thus, the three districts of Balasore, Cuttack and Puri on the sea coast and eighteen Tributary Mahals in the hill regions to the west constituted the Orissa of the East India Company.* The British laws and regulations were not enforced in the Tributary Mahals, and therefore, only the three districts in the coastal region were under the direct administration of the British Government.

Those three districts were ordinarily known as the 'province of Cuttack' or the 'Zillah of Cuttack'. In the following pages, the term 'Orissa' has been used to denote those very areas which were administered by the British authorities from Cuttack. Orissa was included in the Presidency of Bengal and the Government of Bengal framed policies, supervised the administrative affairs and exercised control over the officers in Orissa. It may be mentioned here that there was no separate Secretariat Establishment of the Government of Bengal till 1843. That year Lord Ellenborough completely separated the administration of Bengal from the general administration of India. In 1853 the Governor-General of India, who was also the Governor of Bengal and was burdened with local duties of vast extent and importance,was finally relieved of that charge and a Lieutenant-Governor was appointed for the administration of Bengal alone.

The total area of British Orissa in the 19th century was 23,907 square miles, of which 16,184 square miles were occupied by the Tributary Mahals.[1] The present State of Orissa is, of course, much larger than the 19th century Orissa as the latter did not include all the Oriya speaking territories under its jurisdiction.

It is not possible to ascertain accurately the population of British Orissa under the East India Company. John Richardson in 1815 made a conjectural estimate and put the number as 1,462,500.[2] In 1847, the settlement officers

* See the map of British Orissa.

1 The statistics is given in the map published by the Surveyor General's Office at Calcutta in 1870.

2 BRP, No. 29 of March 18, 1815, Richardson to Government, December 20, 1814. According to Richardson's estimate, the population of Mughalbandi was 11,25,000 and Garjat was 3,37,500.

calculated the population of the district of Cuttack as 1,018,979 and that of Balasore and Puri as 500,000 and 473,947 respectively. Thus the population of Orissa excluding the Tributary Mahals was about 2,000,000.[1] By 1870 the total population of the three districts and of the eighteen Tributary Mahals of Orissa was known to be 3,280,547.[2]

The purpose of this work is to make a study of the administration of Orissa under the East India Company covering a period of little more than half a century. The British occupation of the province brought about significant changes in the administrative system as a result of which the people had to face complex problems. The impact of the new administration on the people was, in fact, deep and extensive which permeated to the very fibre of their socio-economic life and brought untold sufferings, sacrifices as well as some blessings. No adequate attention has been paid so far to this aspect of the history of Orissa.

The first historian in the field was Andrew Stirling. His work *An Account, Geographical, Statistical and Historical, of Orissa Proper or Cuttack* was published in 1825,[3] and first part of the work sketched briefly the history of Orissa under the British only upto that period. In 1872 Sir William Wilson Hunter published *Orissa* in two volumes, as the second and third volumes of *The Annals of Rural Bengal.* He visited Orissa in 1870 and the work was the result of his visit. Hunter allotted a single chapter in his second volume under the heading "The English as Settlers and Governors in Orissa (1635-1871)" to describe the British administration of Orissa which contained, as John Beames said, 'many inaccuracies'.[4] In 1873, George Toynbee, the Commissioner of Orissa, published *A Sketch of the History of Orissa (1803-1828).* The first part of the work described the history

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1 SRG, Bengal, 1867, No. XXX, Henry Ricketts' Report on he districts of Puri and Balasore, 1853. And Henry Ricketts Report on the district of Cuttack, p. 64.

2 The Statistics attached to the map published by the Surveyor General's Office at Calcutta in 1870. (Appendix V)

3 Asiatic Researches, Vol. XV, 1825, p. 163-338.

4 John Beames, *Memoirs of a Bengal Civilian*, p. 197.

of military occupation of the province and subsequent measures to suppress popular revolts. In remaining two parts, the author described the civil and revenue administration of Orissa. As the title of the work suggests, the accounts are brought upto 1828, and that too, in a sketch. John Beames wrote a paper "Notes on the History of Orissa under the Mahomedan, Maratha and English rule" in the proceedings of the Asiatic Society of Bengal. It deals with the British period in ten pages and abruptly ended while discussing the early British administration.[1] The historians of 20th century who have brought out general histories of Orissa, R.D. Banerjee, H.K. Mahtab and others, have not thrown much light on the administration of Orissa under the East India Company.

For an integrated account of the British Indian History, the experiments or innovations effected under local conditions cannot be neglected. Since Orissa emerged as one of the eleven units of British India in this century (by the Government of India Act, 1935), her 19th century history, which remained mostly unknown, deserves thorough enquiry. Such local surveys of different parts of India in the 19th century would help to indicate the process of change which was coming over India during the British period. It is an humble attempt, therefore, to give a detailed account of the main aspects of the British administration in Orissa till the end of the East India Company's rule.

This work has grown out of the thesis I submitted for the Degree of the Doctor of Philosophy in the University of Utkal in 1966. My greatest debt is to Professor M.N. Das, Head of the Department of History, Utkal University, Bhubaneswar, who amidst his numerous preoccupations, found time to guide me in my research project and has very kindly written a Foreword to this book. I am grateful to Dr. K.K. Datta, Vice-Chancellor, Patna University, and Professor O.P. Bhatnagar, Head of the Department of History, Allahabad University for their valuable suggestions. My thanks are due to my esteemed colleagues in the Depart-

[1] Proceedings of the Asiatic Society of Bengal, Vol. 52, Part I, 1883, pp. 231–57. The discussion covered the period upto August 29, 1805, and the Editor noted that the Manuscript was then lost.

ment of History, Utkal University for their inspiration and encouragement. Manuscript records of the period were studied in the State Archives of Orissa and West Bengal, and in the office of the Board of Revenue, Orissa. Original and secondary works pertaining to the period were seen in different libraries. Relevant Parliamentary Papers were studied in the National Library, Calcutta. I must record my grateful thanks to the librarians and archivists of those institutions. I am also grateful to the University Grants Commission for awarding me a Research Fellowship (1963-64) and to the Utkal University for granting me leave for one year to work on the project.

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1 Land Revenue Policy and Administration I 1803-1822

PRE-BRITISH MARATHA SYSTEM

In Orissa, the old Hindu revenue systems had undergone many modifications before the British came. The latest of the changes in the series had been effected by the Marathas who ruled the land from 1751 to 1803. They divided the territories into two distinct political divisions, Mughalbandi and Garjat. The Garjat comprised the hill tracts in the west, held by several feudal chieftains on a hereditary tenure. They were required to pay fixed tribute to the Maratha Government. But the Mughalbandi, which comprised the plain lands in the east upto the sea coast, was under their direct administration. For convenience of general administration and collection of land revenue, the Marathas divided the Mughalbandhi into four 'chaklas' or divisions, such as, Cuttack, Bhadrak, Soro, and Balasore. The 'chaklas' were subdivided into 'parganas' which numbered about 150. Each 'pargana' was further divided into several 'mahals' and a 'mahal' consisted of a group of villages. An officer, known as the 'amil' was in charge of a group of 'parganas'. He was personally responsible to the Government for the collection of revenue assessed on those 'parganas' and for the general conduct and supervision of revenue business in that area. There were 32 'amils' for the whole of Mughalbandi during the Maratha rule.[1]

In course of time, the Maratha officers left the actual management of the land revenue administration to any person who agreed to pay the highest amount for any particular area. It was a common practice for the 'amils' to take agreements from the 'mukaddams' or the headmen of villages. However,

[1] BRP, No.5 of August 1, 1822, A. Stirling, Secretary to Commissioner of Cuttack, to Government of Bengal, October 15, 1821.

the 'mukaddams' were under the talukdars who were formally responsible for the management of a number of 'mahals' or any single 'pargana'. Generally, a talukdar had the title of 'chowdhury' or 'kanungo'. In limited cases only, the land was held by the zamindars. In the official records of the Maratha Government the title of zamindar was given only to the holders of one or more 'parganas' and to the rajas of 'killas'. But in the common language and often in the later 'sanads' of the ruling power, the titles of talukdar and zamindar were used as synonymous.[1]

William Trower, the Collector of Cuttack, observed in 1818 that the 'jama' of Cuttack under the Maratha Government amounted to more than 15 lakhs of rupees. In his estimate, of course, he included the 'sayar'[2] duties or all other duties besides the land revenue.[3] Andrew Stirling, in his account of 'Orissa proper, or Cuttack', estimated the land revenue of the territories to be sicca Rs. 13,50,000. To Stirling that amount was not only the standard land revenue of Cuttack under the Marathas but perhaps was the highest amount ever realized by them even though their assessments were sometimes rated higher. To quote his words :

"The collections indeed I suspect very frequently fell short of the above standard, more especially during the last ten years of the Maratha administration."[4] Stirling's observations appear to be well-founded. Because, Walter Ewer, who was appointed Commissioner to enquire into the Paik Rebellion of 1817, found out that the net amount of the land revenue of Orissa during the last years of the Maratha administration was sicca Rs. 10,80,770.[5]

Thus, it can be summed up that the jama of Orissa under

[1] BRP, No. 5 of August 1, 1822, A. Stirling, Secretary to Commissioner of Cuttack, to Government of Bengal, October 15, 1821.

[2] 'Sayar' duty denoted all other sources of revenue accruing to the Government in addition to land tax from a variety of imposts such as, customs, transit duties, house tax, market tax, etc.

[3] BRP, No. 22 of May 13, 1819, Trower to Stirling, November 26, 1818.

[4] *Asiatic Researches* Vol. XV, 1825, pp. 215-16, Andrew Stirling, An Account, Geographical, Statistical and Historical of Orissa proper, or Cuttack.

[5] BRP, No. 15 of July 17, 1818, Ewer to Government of Bengal, May 13, 1818.

the Marathas was about 13½ lakhs of ruppees while the net collection excluding all kinds of deduction was about 11 lakhs of ruppees.

Such was the position when the British conquered Orissa in 1803. George Harcourt and John Melville, the 'Commissioners for the affairs of Cuttack', were entrusted with the duty of settling the newly acquired territories. The collection of the land revenue from the Mughalbandi portion of the province, which was till then directly under the Marathas, became their immediate concern.

The British administration of Orissa practically began from 1804. As regards the question of land revenue, the new administrators followed a consistent policy from 1804 to 1822, when under compelling circumstances, they had to initiate a radical change in the existing arrangement. A new system was designed to operate from that year. As such, the land revenue policy and administration in Orissa during the period under consideration can be divided into two distinct phases, the first, from 1804 to 1822 and the second, from 1822 to to 1858.

THE PERIOD OF EXPERIMENT : 1804—1822

After the subjugation of the territories of Orissa, the Commissioners felt that it was neither possible nor desirable to introduce a new system of land revenue administration all of a sudden. The same was also the opinion of the Governor-General in Council who required sometime to think of a new system for the newly acquired territories. So the Commissioners decided to retain the system of the Marathas on a provisional basis. But they had two immediate objectives before them. First, they intended to realize from the people as much revenue as possible during the Amli era[1] 1211 (1803-4) and secondly, they desired to follow a policy of conciliation towards the zamindars, landholders and the natives in general. Conse-

[1] Amli era was the local era of Orissa which began from the 12th day of the second half of the lunar month of Bhadra. That was known as the 'Sunia' day. It varied between 27th August and 26th September of the English year. The British authorities calculated the era from the middle of September. Amli era 1211 was equivalent to the English year September 1803 to September 1804. All subsequent calculations were based on this fact.

quently, they ordered a general remission of all sums due to the Maratha Government on account of arrears of revenue from the people for years prior to 1803-4. To realize some portion of the revenue for 1803-4, the Commissioners employed the officers of the former Government with fixed monthly allowances. They were instructed to receive on behalf of the British Government all such sums as would have been claimed by the Maratha Government. At the same time extra precaution was taken to abolish the 'abwabs' or extra demands of the Maratha officers.[1]

THE REGULATION 12 OF 1805

On May 4, 1804, the Government passed some temporary regulations for the administration of Orissa. By those regulations, the territories were divided into two divisions, the northern and the southern, with the river Mahanadi as the boundary between the two. For each division, a Judge-cum-Magistrate was appointed. Those officers were also entrusted with the duties of collecting the land revenue. They arrived at their respective divisions at the commencement of the year 1804-5 and were immediately given instructions to introduce a regular system of revenue collection in their areas. Robert Ker and Charles Groeme were in charge of the northern and southern divisions respectively.[2] On September 15, 1804, a proclamation was issued by the Commissioners at Cuttack concerning the settlement of the land revenue in the Mughalbandi portion of Orissa. It was later incorporated in regulation 12 of 1805 which was passed by the Government on September 5, 1805, and formed the basis of the British land revenue policy in Orissa. In order to understand the principles underlying that policy, it is necessary to describe the contents of the said proclamation in some detail. (Appendix 1)[3]

The proclamation declared that it was the intention of the British Government to adopt such a plan for the settlement of land revenue of the province which might be most conducive to the prosperity of the country and to the happiness of

[1] BJ(C)P, No.27 of September 5, 1805, Commissioners in Cuttack to Chief Secretary to Government of Bengal, September 2, 1805.

[2] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 32.

[3] The text of the Proclamation is given in Appendix 1.

the inhabitants. For the year 1804-5, it was decided to settle the land revenue with the zamindars or other actual proprietors of the soil and the settlement was to be limited for a period of one year only. At the expiration of the year 1804-5, another settlement was to be made with the same persons for three years (1805-6 to 1807-8), at a fixed equal annual jama, provided they were willing to engage and if they had conducted their business to the satisfaction of the Government.

After the expiry of the triennial settlement, the proclamation prescribed a new settlement for a period of four years (1808-9 to 1811-12) which was to be made with the same persons at a fixed annual jama. The annual jama was to be formed by adding to the annual rent of the preceding lease of three years with two-thirds of the net increase of revenue during any one year of that period. At the end of the lease for four years, a further settlement for the period of three years (1812-13 to 1814-15) was to be concluded with the persons in possession of the lands.

In 1815-16, at the end of a total period of eleven years of short settlements, a permanent settlement was to be concluded for such lands as might be "in a sufficiently improved state of cultivation to warrant the measure, on such terms as Government shall deem fair and equitable." In the event of neither the proprietors, and muqaddams, nor other respectable raiyats being found, the lands would be held 'khas' by the Government.

It was further decided that the raiyats should be granted pattas and that nothing but what was expressed in that document regarding the rent should be collected from them. Such provisions of the proclamation were accepted by the regulation 12 of 1805 and it was believed that by those provisions for the settlement of land revenue, cultivation would be extended and general prosperity of the province would rapidly increase.

The regulation 12 of 1805 also provided for the introduction of a new currency in Orissa. The Government wanted that payment of the public revenue by the zamindars, talukdars, farmers and other holders of lands should be made in 'Calcutta sicca rupee'. The Calcutta sicca rupee or the 19 Sun sicca rupee was the standard silver coin which was then in circulation in the Bengal Presidency. Before the British occupation

of Orissa, 'kauris' were the common medium of exchange among the people. But the British were not prepared to accept the 'kauri' currency mainly for two reasons, namely, they knew that they would not be able to control the supply of 'kauris' which was in hands of the private traders and generally imported from the Maldive islands, and that there was the need for a uniform currency system in the whole of Bengal Presidency. Naturally the 'kauri' currency, which was peculiar to Orissa, was to be replaced by the sicca rupees of the Presidency. However, the said regulation did not intend to abandon the 'kauri' system at once. It took into consideration the difficulties of the zamindars, talukdars and other holders of lands for procuring sicca rupees immediately. So the regulation provided for the acceptance of the land revenue at the treasuries of the Government through different types of rupees and 'kauris' till the end of the year, 1807-8. The rate of exchange was fixed at 4 'kahans' of 'kauris' (1280×4 kauris) for one sicca rupee.

The regulation 12 of 1805 also made elaborate provisions for recognizing the rent-free tenures as they existed during the Maratha rule. The grants of rent-free lands, which were made previous to October 14, 1791, were declared valid, provided that the grantee obtained possession of the land before that date and held the land from that date onwards without paying the rent. The grants obtained subsequently thereafter and confirmed or admitted by the Máratha Government prior to October 14, 1803, were also declared valid. But all those rent-free tenures, which could not be entertained for one reason or the other and were not granted by the British after October, 14, 1803, were declared invalid. The regulation wanted that the proprietors of rent-free tenures should register their grants within the year, 1805-6, and the Collector of land revenue was directed to prepare periodical registers of such rent-free lands.

Besides these general provisions, the regulation also made some specific provisions for realization of the land revenue from certain 'mahals'. The Commissioners had granted a sanad to the jagirdar of Malud in consideration of his good services rendered to the British Government at the time of the conquest of Orissa. The sanad entitled him and his heirs to hold his lands without any assessment of revenue. That sanad

was confirmed by the regulation. The Commissioners had also concluded the settlement of land revenue with some zamindars at a fixed 'jama' in perpetuity. Those settlements were confirmed by the regulation 12 of 1805. The regulation at the same time declared that no alteration would be made at any time in the amount of revenue payable by those zamindars to the Government. The zamindaris thus settled were as follows: Durpun, Sukinda, Madhupur, Ali, Kujang, Harishpur, Marichpur, Bishnupur, and Patia. The regulation further desired to make such settlements with Kanika and Khurda. But subsequently only Kanika came under the settlement of fixed 'jama' in perpetuity. Khurda became a Government estate after the rebellion of its chief in 1805.

Such specific provisions were made in the regulation 12 of 1805 to serve the greater interests of the British rulers. It was a shrewd political manoeuvre to conciliate the big land lords in the newly acquired territories. The result of such a policy was the creation of a privileged and powerful group of zamindars in Orissa. In course of time, they came to occupy a special status. It was somewhat inferior to the status enjoyed by the Gujrat chiefs but superior to that enjoyed by numerous ordinary zamindars. Such a position was evident from their assumption of the title of the 'Raja', though the British regulation recognized them only as zamindars. As the land revenue of their zamindaris, payable to the British Government, was fixed in perpetuity, they rapidly amassed wealth and acquired influence like the zamindars of the permanently settled zamindaris of Bengal. Obviously, therefore, they continued to draw special attention of the Government throughout the British rule.

Finally, all other Bengal regulations, relating directly or indirectly to the settlement and collection of the public revenue or the conduct of officers employed in the performance of that duty, which were not superseded by the regulation 12 of 1805, were extended to and declared to be in force in 'the zillah of Cuttack.[1]

Thus, the regulation 12 of 1805, enunciated the British land revenue policy in Orissa. The British administrators

[1] See Introduction for the meaning of the term the 'zillah of Cuttack'.

clearly intended to follow the Bengal system of land revenue administration in the newly acquired territories. So the regulation provided for short term settlement of 11 years at the end of which it was intended to introduce a permanent land revenue settlement. But the Government committed certain grave errors in their judgement. First, they erroneously assumed that there were zamindars or actual proprietors of the soil in Orissa with whom the settlement could be made though a later enquiry proved it to be incorrect. It so happened that during the confusion which prevailed between 1801 and the British acquisition of the province in 1803, the 'Chowdhuris', 'Kanungos', 'Makaddams', and other persons, who were entrusted with the collection of revenue, assumed the title of zamindar of their own accord. They claimed to hold their respective lands as actual proprietors of the soil, with a motive to establish their hereditary right to collect the rents. Thus the so-called zamindars of Orissa were, at the time of the British acquisition, either principal 'mukaddams' with hereditary right to collect rents, but without any right, title or interest in the land itself, or the Maratha officers, chiefly 'chowdhuris' and 'kanungos' who were in charge of the collection of land revenue. The British, in those early days of their occupation, could not think it feasible to collect the land revenue directly, from the cultivators of the soil. They, naturally, wanted to find out the actual proprietors of the land with whom settlements of revenue could be made following the Bengal pattern.

Andrew Stirling, secretary to the Commissioner at Cuttack, in his Minute on October 15, 1821, pointed out that "had the services of zamindars been dispensed with at the early settlement, large establishments of amils or tehsildars must have been kept up, from maintaining whom many evils of the most serious magnitude would probably have flowed, as things were then managed." Therefore, as he said : "the opposite course being considered the soundest policy in those days, the zamindars and talookdars were searched out by order of the Commissioners and invited to engage for their lands as proprietors of the soil." Stirling was not unaware of the consequences of that policy. It "exalted the tenures of these functionaries to a footing of distinction and importance which they had never before attained in the best times of the native

government."[1] Thus, a right which never existed was silently acquiesced in and indirectly admitted and confirmed by the regulation 12 of 1805 and by other subsequent regulations of the government. It was rightly remarked by Toynbee that "the collectors trained in Bengal, not finding in Orissa any person corresponding to the zamindar of that province, manufactured him out of the material which they found most ready to hand."[2]

Secondly, no foresight was applied to think of the consequences which were likely to follow from the strict observance of the Bengal regulations in Orissa where the conditions were very much different. Even if they were not, the British administrators, after their experience of failure of short settlements in Bengal and the consequent hardship it brought to the cultivators, did not hesitate in prescribing the same course for Orissa. The regulation 12 of 1805 failed to take into consideration the fate of the cultivators by not providing for them adequate security. No doubt, it provided for the grant of 'pattas' to the 'raiyats' or cultivators, but there was no proper machinery to uphold the peasants' rights in accordance with the 'patta' system. In course of short settlements, when the proprietors of lands were frequently changed, it became the almost impossible to define the rights of the cultivators. The disastrous consequences of the regulation 12 of 1805 and also of subsequent regulations were fully realized only when a rebellion broke out in Orissa in 1817. It called for searching enquiries into the real nature of the early regulations.

In the meantime, in June 1805, the office of the Commissioners was removed to Calcutta and by the regulation 13 of that year, their office was abolished in Orissa. By the same regulation, the northern and the southern divisions of Orissa were amalgamated and placed under one collector. The superintendence of the revenue affairs of the province was vested in the Board of Revenue at Fort William. The headquarters of the collector was at Puri upto 1816. In 1806, it was proposed to remove it to Jajpur, as it was a central place in Orissa. But the Government refused to sanction it. Puri was

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1 BRP, No.5 of August 1, 1822, A. Stirling, Secretary to Commissioner of Cuttack, to Government of Bengal, October 15, 1821.

2 G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 26-7.

perhaps selected on account of its importance in connection with the Temple of Jagannath. In 1815, a large number of zamindars of all parts of Orissa petitioned to the Government to remove the Collectorate from Puri to Cuttack, on the ground that the latter place had been the seat of the Government both under the Mughals and the Marathas. The further grounds of their complaints, summarized by Toynbee, were as follows :—"(1) The unhealthiness of the climate of Pooree and the consequent difficulty the petitioners experienced in getting any one to reside there as agent ; (2) that to boil rice and transact any worldy business in the holy city were forbidden by the 'Shastras' under pain of eternal punishments, and that petitioners, when they went to Pooree, were consequently obliged to live on 'mahaprasad' alone ; (3) that the price of provisions was nearly double what it was in Cuttack : man who could live on two annas a day in the latter place being obliged to spend about four annas in the former ; (4) that there were no longer resident 'mahajans', and that the petitioners were consequently put to much extra inconvenience when they wanted to borrow money to meet the Government demands ; (5) that the separation of chief civil and revenue courts of the province entailed much difficulty in procuring copies of documents, etc., required in suits in either courts ; (6) that many of the largest zamindars were Mahamadans, to whom a residence in Pooree was forbidden, and who were unable to perform their own religious ceremonies in the neighbourhood."[1] The Acting Collector, J. P. Warde, forwarded the petition to the Government with his recommendation to grant the prayer. It was approved by the Government and consequently the Collector's headquarters was permanently removed to Cuttack in 1816.

THE SHORT SETTLEMENTS, 1805-1817

The first settlement of land revenue in Orissa under the British administration was made only in 1805. It was conducted under the supervision of the Commissioners. The financial result of the settlement was that a yearly 'jama' of Rs. 13,14,825 was fixed on the province. It was a heavier

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 33.

assessment in comparison with the collections of the Marathas. Consequently, a large number of land proprietors refused to engage for payment of the Government demands and so more than a third of the province came under the direct management of the British. Those lands were committed to the management of tahsildars under the supervision of the Collectors of the two divisions of Orissa, and came to be described as the 'khas mahals'.[1]

The next settlement was made under the regulation 12 of 1805 by George Webb, the Collector of the whole of Orissa. That was the triennial settlement of 1805-6 to 1807-8 which yielded a yearly 'jama' of Rs. 14,35,354. The 'jama' was an enhancement on that of the previous settlement by Rs. 1,20,529. This settlement was also made without any consideration of the capability of the proprietors to pay and without any reference to the actual improvement of cultivation and the condition of the people. Under the Marathas, remissions of revenue had been invariably granted for the loss of crops in heavy flood and severe drought. But the British administrators abandoned such practices. They rejected all claims for revenue remission on account of both those contingencies.[2] The result was that arrears of revenue rapidly accumulated. In 1806, the fatal process of the sale of the estates for arrears of revenue was worked out in Orissa following the Bengal regulations. The estates of a higher 'jama' of Rs. 5,000 or more were sold at Fort William and consequently many Oriya landholders were deprieved of their properties while the Bengali speculators found themselves in a position to buy valuable estates at much lower prices. In 1806, 17 estates with a total 'jama' of above Rs. 50,000 and in 1807, 266 estates with a total 'jama' of above 3 lakhs were sold.[3]

The zamindars consulted each other and petitioned to the Governor-General in Council for the redress of their grievances. They stated that the chief cause of their inability to pay the revenue of their estates for the year 1806-7 was the failure of the crops on account of drought, followed next year by heavy floods. It was clearly pointed out that their position

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 40.
[2] *Ibid.*, p. 43.
[3] Survey and Settlement Report, Vol. I, p. 162.

under the English was worse than what it had been under the Maratha Government. Because, the former Government considered the actual income from the lands as the basis of assessment of revenue and allowed deductions on account of various natural calamities as well as remitted expenses for repairs of embankments etc., but the British Government did not allow any such concessions. They based their demand on the average receipts of three previous years and permitted no deductions on any ground, however serious. The zamindars also complained that while in Orissa they were required to pay revenue in only 7 'kists' or instalments, in Bengal their counterparts were allowed to pay in 12 such 'kists'. Such were the grievances of the Orissa landlords but the Government took no notice of their petition. Thus, the real facts were not ascertained at that early stage of their administration. Had that been done, perhaps the troubles would not have followed in the sequence of events.[1]

In 1807, the Government modified the original scheme of settlements as provided by the regulation 12 of 1805. The Governor-General in Council passed a new regulation, the regulation 10 of 1807, which provided that on the lapse of the triennial settlement in 1807-8, a four-year settlement should be made in Orissa. At the end of that period, they intended to make a permanent settlement subject to the approval of the Court of Directors. But the Collector of Cuttack strongly opposed the scheme of permanent settlement on various grounds. First, there was no reliable information available about many details of the land systems in Orissa. Secondly, it was necessary to institute a strict enquiry into the nature and validity of the tenures of a large number of proprietors of lands or zamindars in Orissa before any permanent settlement could be made with them. Thirdly, so stated the Collector, more than a lakh of sanads to hold land rent-free had been filed in his office under the regulation 12 of 1805 and it was necessary to make a careful enquiry into the validity of all those demands before a permanent settlement was instituted. The Government agreed with the views of the Collector and the scheme of settlement was again changed. A new

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 44-5.

regulation was passed, the regulation 6 of 1808. It was decided to hold one-year settlement for 1808-9, which was to be followed by a triennial settlement from 1809-10 to 1811-12. The regulation then proceeded to declare that the assessment which might be fixed on the lands in the year 1811-12 "shall remain fixed forever in case the arrangement shall receive the sanction of the Hon'ble Court of Directors." In order to supervise the settlements, Charles Buller, a member of the Board of Revenue, was appointed on September 1808 as a Special Commissioner in Orissa. He was entrusted with the duty of making local enquiries and collecting information for the purpose of a permanent settlement in the province. Buller worked till February 1810.[1]

According to the regulation 6 of 1808, the one-year settlement of 1808-9 yielded a 'jama' of Rs. 14,38,912. It was an increase of only Rs. 3,558 on the 'jama' of the previous triennial settlement. There was a slight improvement in the collection of revenue during this period. Also only 91 estates with a 'jama' of Rs. 24,410 were brought to sale, against an average number of 142 estates with an average 'jama' of Rs. 1,66,213 sold yearly during the previous triennial settlement.[2]

At the end of the one-year settlement, Buller completed the triennial settlement covering the period from 1809-10 to 1811-12. His settlement increased the yearly 'jama' by Rs. 64,042 and so the total yearly 'jama' became Rs.15,02,954 in comparison to the previous yearly total of Rs. 14,38,912. The system of farming out the estates, which had so long been applied to the property of the Government only, became a general practice from the time of the said settlement. Many zamindars entered into agreement with the Government on terms higher than the fiscal condition of their estates with the hope that the assessment of revenue would be final and the settlement would be permanent. When they could not pay up the annual revenue of their estates within the same year, they were reluctant to be deprived of them by public sale. So, with an anticipation of resources of the succeeding years, they borrowed money to pay up the Government demand and gradually involved themselves in difficulties. At that time the

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 45-6.
[2] *Ibid.*

province suffered from a severe flood and the crops of 1809-10 were destroyed to a great extent. Though many petitions were made to Charles Buller, the Special Commissioner, for remission of revenue, he declined to make enquiries on the plea that he had concluded a permanent settlement of the province.[1] Consequently, the distress of the zamindars was great and collections fell to 84% in spite of the sale of 271 estates in three years with annual 'jama' of Rs. 2,04,842.[2]

In the meanwhile, the Court of Directors in their despatches of November 27, 1811 and January 15, 1812 to the Governor-General in Council disapproved of the scheme of permanent settlement in the 'ceded and conquered provinces' including Orissa. The decision of the Court of Directors, so it appeared to the Governor-General in Council, was based on four main grounds. First, the Court of Directors objected to the proposal of the permanent settlement on the ground that the Government did not possess sufficient informations for fixing the assessment in perpetuity. Secondly, they did not like the permanent fixation of land revenue anywhere in India and in that connection they reminded the Government about the disappointment experienced in Bengal in matters of several branches of public revenue since the introduction of the permanent settlement. Thirdly, in reference to the peculiar character of the said provinces, the entire measure appeared inexpedient. Lastly, they apprehended that due to the permanent fixation of land revenue, the zamindars might amass wealth which would lead to depreciation of the precious metals.[3]

While the Court thought in above terms, the Governor-General in Council felt convinced that a permanent settlement should be made in the 'ceded and conquered provinces' including Orissa. They, therefore, prepared to advance their arguments in support of the proposed measure. As to the first objection raised by the Court, the Government of India pointed out that the Company had been in possession of Bengal for nearly 30 years before it fixed the limits of their demands. Yet there

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[1] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

[2] Survey and Settlement Report, Vol. I, p. 162.

[3] Letters to the Court, Revenue Department, Vol. 10, Governor-General in Council to the Court of Directors, July 17, 1813.

were errors in assessment. That being so, the plea of insufficiency of information for effecting a permanent settlement was baseless. As regards the second objection, it was said that since the beginning of the permanent settlement in Bengal, revenues were derived from many other sources besides land, such as, salt and opium monopoly, liquors and 'drugs', customs and stamps. Considerable improvement was made in course of time in those branches of public revenue and the Government had every reason to hope that they would yield more revenues in future. Regarding the third objection, they argued that they did not find any peculiarity in the character of the natives of the 'ceded and conquered provinces' and Orissa which made the new measure impossible of experiment. The people of those areas were as good as the natives of Bengal. Finally, the last objection of the Court of Directors was shown as groundless for the simple reason that depreciation of precious metals had no relevant connection with permanent settlement in particular.[1]

The Governor-General in Council concluded : "If it be our wish to effect those rapid improvements in the agricultural state of the country, which have of late years taken place in Bengal ; to turn the people from those refractory habits, which are still too prevalent among them, to the cultivation of the Arts of peace and of productive industry ; to infuse into the landholders a warm and zealous attachment to the Government, founded on the solid basis of their own interests ; and finally to ameliorate generally the condition of the Natives ; it is our firm conviction, that no arrangement or measure will tend so speedily and effectually to the accomplishment of those important objects, as the establishment of a permanent settlement." With these arguments in support of the measure, the Government hoped to win over the Court of Directors for their permission for the introduction of the permanent settlement.[2]

Before the Court of Directors had considered the question afresh, the Government felt bound to pass a new regulation as the terms of the settlement under the previous regulation were drawing to a close. The new regulation, known as

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[1] Letters to the Court Revenue Department, Vol. 10, Governor-General in Council to the Court of Directors, July 17, 1813.

[2] *Ibid.*

regulation 10 of 1812, announced it to the people that as the proposal for a permanent settlement had not been sanctioned by the Court of Directors, it was necessary that on the expiry of the second triennial settlement in 1811-12, another settlement should be made for three years.[1]

At the commencement of the year 1812-13, William Trower, the Collector,took charge of the revenue administration of Orissa. The triennial settlement had expired and with it had ended the agreement of the zamindars with the Government. Even then, the regulation 10 of 1812 was not put into effect. It was not until 6 months had elapsed that the Government took into consideration the prevailing situation. On March 24, 1813, the regulation 1 of 1813 was enacted which directed that one-year settlement for 1812-13 should be made forthwith. It was stipulated that at the end of that year, a further settlement for two years was to be made. After such experiments with three years of short settlements, the Board of Revenue was to prepare a report on the state of cultivation as well as the condition of the estates in Orissa for consideration of the Governor-General in Council. Such a report was required to reconsider the question of permanent settlement in the light of new experiences.[2]

The settlement of 1812-13 proved to be a failure. It once again increased the Government demand. Consequently, the zamindars were disheartened at the constant alterations of revenue and many of them gave away their estates to the Government to be held as "khas" under the Collector. The latter managed them either through tahsildars or farmed them out to speculators. Transactions of that nature went against the interest of the tenants. Collections fell to a considerable extent.[3]

During this period, John Richardson, a member of the Board of Revenue, was deputed to supervise the settlement works in Orissa. He arrived at Cuttack towards the end of March 1813. It was difficult for him to persuade the proprietors of lands to agree for a higher "jama" for their estates and enter into agreement on that basis. The hope of a permanent settlement was held out to them. Once again with that tempta-

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 47.
[2] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.
[3] Survey and Settlement Report, Vol. I, p. 162.

tion in view the zamindars agreed to accede to Richardson's terms and he completed the two-year settlement, 1813-14 to 1814-15, by the end of October 1814.[1]

On December 20, 1814, John Richardson stated in his report to the Government that "Mughalbandi" was divided into 183 "parganas" or revenue divisions. The "parganas" were of different magnitudes and their divisions were arbitrary. The total number of estates was 2349. He also reported that the number of estates in which the land revenue was fixed in perpetuity, besides the Tributary Mahals or Gujarats, was 13, such as, Ali, Kujang, Harishpur, Sukinda, Madhupur, Chedra, Dompara, Durpan, Patia, Bishnupur, Kalkala, Kanika, and Marichdur.[2]

By the above noted settlement of Richardson, strong hopes were entertained by zamindars that the Government demands would not be further enhanced. Rather some estates, which were supposed to have been highly assessed at the former settlement, got a reduction in their 'jama'. On the whole, the total increase of the Government demand was very small. However, a large number of estates were farmed out.[3] The 'jama' was fixed at Rs. 15,75,252, an increase of only Rs. 23,359 on that of the previous settlement. A slight improvement took place in the collections but 108 estates, bearing a 'jama' of Rs. 60,172, were sold out and "the state of the country" appeared, as Toynbee remarked, "to have been growing yearly worse."[4]

In 1815, a regulation was passed which declared that the existing settlement should continue for 1815-16, one year more than its usual duration. It afforded the zamindars an option of relinquishing the management of their estates if they were dissatisfied with the terms on which they held them. Under this provision, 53 zamindars lost their estates and doubts began to creep into the minds of the rest as to the permanency of the settlement. Naturally the zamindars felt disappointed.[5]

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[1] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

[2] *Ibid*, No. 29 of March 18, 1815, Richardson to Government of Bengal, December 20, 1814.

[3] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

[4] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 49.

[5] *Ibid*, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

After the expiry of the settlement of 1815-16, the regulation 6 of 1816 provided for another triennial settlement in Orissa. This regulation again afforded an option to the zamindars to relinquish the management of their estates and the Government was prepared to take them over as 'khas' or under their direct management. But at the same time it enticed them with the hope of a permanent settlement in the words that "at the expiration of that period the Governor-General trusts it will be no longer necessary to defer giving to the zamindars the full benefit of the pledge repeatedly conveyed to them. "The 'jama' was increased to Rs. 16,37,924."[1] But it was no longer possible to persuade all of them to engage for their estates. Many of them threw up their estates in 1816-17 only to avoid the constant trouble of repeated short-term settlements and fruitless expectation for a permanent settlement. In spite of the attempt made by William Trower, the then Collector, to conciliate the Zamindars and to induce them to resume the charge of their estates, about one-fourth of the Mughalbandi was placed under his direct management at the beginning of 1817.[2]

Three months later the rebellion of Khurda broke out which extended more or less to other parts of the province. The Rebellion of 1817 or the Paik Rebellion, as it is known, was easily suppressed. Though it was not a very serious threat to the British rule in Orissa, yet it served the useful purpose of breaking the complacency of the British administrators. It brought home to the higher authorities the necessity of making searching enquiries into the shortcomings of their administration. A brief sketch of the famous Paik Rebellion, which broke out in 1817, is necessary here in order to understand the subsequent developments. The rebellion may rightly be regarded as a turning point in the history of the British administration in Orissa. It called for a modification in their policies followed so far.

THE PAIK REBELLION, 1817

The territories of Khurda,[3] the storm centre of the rebellion,

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 50-1.

[2] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

[3] Situated in the district of Puri, it was the seat of a ruling dynasty

was almost ruined by maladministration of the British officials and native subordinates before the outbreak of the rebellion in 1817. The 'paiks', a kind of local militia, who rose as a body against the British, had suffered the most on account of the short-sighted policy of the Government. Major Fletcher, who managed Khurda after the British occupation, had resumed the service lands of the 'paiks' which they enjoyed in the days of the Hindu kings. But that was not all. Toynbee rightly remarked that "deprived thus of the lands which they had enjoyed from time immemorial, they were subjected to the grossest extortion and oppression at the hands of the farmers, sarbarakars, and other underlings to whom our Government entrusted the collection of the revenue, and also to the tyrannies of a corrupt and venal police."[1] In such a state of affairs, what the 'paiks' needed was a leader, who would champion their cause and lead them in arms against the British Government.

Such a person appeared in Jagabandhu Bidyadhar Mohapatra Bhramarbar Ray, popularly known as Jagabandhu, who was the Bakshi or the Military Commander of the Raja of Khurda before the British conquered Orissa. He was second only to the Raja in rank. His family held the valuable estate of Rorang at a low rent for several generations. The estate was in the possession of Jagabandhu at the time of the British occupation. In 1803-4 and also in 1804-5 he entered into agreements with the British for payment of the revenue of Rorang. In the following year, his estate also came under Webb's triennial settlement from 1805-6 to 1807-8.[2] But unfortunately, in subsequent years he became a victim to a plot hatched by the 'amlas' of revenue department and a Bengali speculator named Krishna Chandra Singh. By their manoeuvre, he was deprived of his estate in 1813. He petitioned to the authorities against the injustice done and, after

in Orissa during the second half of the sixteenth century. As descendents of the old Gajapati rulers, the Rajas of Khurda were recognized as the head of the ruling chiefs of Orissa. The population of Khurda contained mainly the 'khandaits' or swordsmen and the 'paiks' or hereditary landed militia.

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp, 13-4.

[2] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

an investigation, it was proved beyond doubt that the dispossession was a fraudulent one. An order was passed for the restoration of his estate in 1814.[1] But before it was acted upon, a representation, on behalf of Krishna Chandra Singh, was made to the Government. That representation pointed out that the original rights of Jagabandhu to possess the estate was questionable. Consequently, another order was issued by the Government which forbade the restoration of his estate "until he should have established a title to the lands in the regular course of law".[2] Jagabandhu had already suffered for two years after the loss of his estate and was almost reduced to a 'pauper'. Naturally, he was not prepared to go to the court of law for seeking justice from the British authorities. He had lost faith in their integrity and craved for vengeance at the first opportunity.[3]

Such was the affair of Jagabandhu when in March 1817 a large body of Khonds from Ghumsar, a border estate in the Ganjam district of Madras Presidency, entered into the border of Orissa in the estate of Khurda. It is not known whether they came on the predatory excursions, or at the instigation of Jagabandhu or the 'paiks' of Khurda. However, the opportunity was availed of by the 'paiks' of Khurda who under the leadership of their commander, Jagadbandhu, joined the Khonds and thus they broke out into open rebellion. They attacked the police station and other Government buildings at Banpur and looted the treasury. After their success at Banpur, they came to Khurda where all Government buildings were burnt to the ground, and the treasury was looted. Soon, the territories of Khurda and the neighbouring areas were at the mercy of the rebels.[4]

When the news reached Cuttack, the authorities took immediate steps to quell the disturbances and sent troops to restore order. One detachment of troops marched direct to Khurda under Lieutenant Prideaux and another, under Lieu-

[1] BRP, No. 35 of January 29, 1814, Richardson to Government, January 14, 1814.

[2] *Ibid.* No. 20 of May 28, 1814, Government to Richardson, May 28, 1814.

[3] *Ibid*, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

[4] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 16.

tenant Faris, proceeded to Pipli to protect the neighbouring 'parganas'. Edward Impey, the Megistrate of Cuttack, thought that his presence on the spot might improve the situation. So he proceeded to Khurda with some sepoys under Lieutenant Travis. But at Gangpara, two miles from Khurda, the British troops were attacked by the rebels and Impey was compelled to retreat. On April 4, 1817, he reported to the Government that "I can only write for the information of His Lordship in Council that my retreat was forced, and that the whole of the Khurda territory is in a complete state of insurrection". Impey also reported that the intentions of Jagabandhu and his. men were to capture Puri and to bring the Raja of Khurda, who happened to be the superintendent of the Jagannath Temple and resided there, to his territory where he would be installed as their real ruler. He sought the permission of the Government for the proclamation of martial law in those regions.[1]

In the meantime, Lt. Faris was killed at Gangpara and the confidence of the insurgents increased. They prepared to capture Puri. On the British side, Captain Wallington was sent to Puri to protect the town and to keep an eye on the movement of the Raja of Khurda. On April 12, 1817, a body of the insurgents had reached Puri. The Government 'cutcherry' and several other public buildings were burnt. On the following day, they also tried to capture the town but the Government troops were successful in resisting them. On April 14, a large body of insurgents, headed by Jagabandhu, entered Puri and some local inhabitants of the town joined them. The situation went out of control. So Captain Wallington, his troops and civil officers of the Government with a portion of the public treasury, retreated from Puri to Cuttack.[2]

Martial law had been proclaimed in Khurda on April 14, 1817, and it was extended to the towns of Puri and Pipli and to the 'parganas' of Limbai and Kotdes on April 19, 1817.[3] In the meantime Captain Le Fevre had marched to Khurda.

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[1] G. Toynbee, *A Sketch of History of Orissa (1803-1828)*, pp. 17-8.

[2] BJ(Cr)P, Nos. 17 and 18 of August 12, 1817, Impey to Government, April 16, 1817.

[3] Orissa Records, Vol. II, Report of W.B. Bayley, Acting Chief Secretary to Government, on Paik Rebellion, August 10, 1817, pp. 10-8.

He reached the place without encountering any opposition. But soon he found out that the rebels had marched to Puri. He determined to follow them rapidly and was prepared for a decisive encounter there. He reached the place on April 18, and found that all European officers had been driven out of the town and their offices and residences had been burnt down completely. Of course, Jagabandhu himself was not on the spot by that time. He had proceeded towards Banpur. Captain Le Fevre captured Puri after some encounter with the rebels and brought the Raja of Khurda under his control. The Raja was brought to Cuttack on May 11, 1817 as a prisoner and was placed in close confinement where he died later on November 30, 1817.[1]

In the meanwhile, the Government reinforced its troops at Cuttack. W.B. Bayley, Acting Chief Secretary to the Government, later reported that "with reference to the progress of the insurrection and to other circumstances, it was deemed expedient to place the troops in Cuttack under the separate command of an officer of high rank to whom the delicate trust of administering Martial Law might likewise be confided." Accordingly, Major-General G. Martindell was nominated to command the troops for military operations in Orissa. He reached Cuttack on May 6, 1817. Soon he entered Khurda and from that place he directed the movements of troops to defeat the rebels, and capture their leader. He also made efforts to restore tranquility.[2]

The rising was not confined to Khurda, Puri and the neighbouring areas, but spread all over the southern and eastern parts of Orissa. The 'paiks' burnt the police thanas of Asureswar, Tiran, Hariharpur, and Gope and committed various atrocities in the surrounding localities. They had no recognised leader like Jagabandhu of Khurda but they were, as the British administrators suspected, secretly encouraged and helped by the Rajas of Kujang and Kanika. The suspicion had some valid ground as the rebellion took a serious turn in the estate of Kujang. As the military force was concentrated

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1 G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 20-1.

2 Orissa Records, Vol. II, Report of W.B. Bayley, Acting Chief Secretary to Government on Paik Rebellion, August 10, 1817, pp. 10-8.

in the territories of Khurda and Puri, where 'the insurrection was most formidable', the Government took some time to take action against the rebels of the above noted areas. The rainy season also hindered the movement of the troops to some of those places. However, in July 1817, Captain Faithful restored order at Gope without any resistance. In September 1817, troops under captain Kennet were sent to the estate of Kujang. Certain Kennet, with his troops, reached Paradip on September 14 and immediately began his military operations. The rebels in that area were completely routed within 6 days only. The Raja of Kujang surrendered himself to Captain Kennet on October 2, 1817. Narayan Paramguru and Bamadeb Patjoshi, the chief leaders of the insurgents and instigators of the outbreak in that area, were captured and taken with the Raja to Cuttack.[1]

By the end of October 1817, 'the rebellion may be said to have been stamped out.' Order was restored in the territories under the military operations. A general amnesty was promulgated and the martial law was withdrawn from all places except Banpur. There it remained in force until April 1818.[2] Many 'paiks' and other rebels were captured and stern action was taken against them. But Jagabandhu, the principal leader could not be captured for a long time. He surrendered in 1825 and lived at Cuttack as a pensioner of the Government with the agreement that he would not leave the town without permission from the authorities.[3] He died in 1829.

CAUSES OF THE REBELLION

Even before the suppression of the Rebellion, the Government had called for reports from the local officers in order to ascertain the real factors which led to such an occurrence. The Government was not slow to realize that there were some underlying causes responsible for that violent outburst against the administration. To understand those reasons it was necessary to lay stress on the local enquiries. The enquiries thus conducted revealed grave errors in the land revenue policy

[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 22-3.
[2] *Ibid.*, pp. 22-3.
[3] Orissa Records, Vol. III, W. Blunt, Commissioner in Cuttack, to W.B. Bayley, Chief Secretary to Government, June 4, 1825, No. 44.

and administration of the British from its very occupation in 1803 till the outbreak of the rebellion in 1817. The first report was sent on May 3, 1817 by E. Watson, Judge of Calcutta Court of Circuit, for consideration of the Government.[1]

As regards the shortcomings of the British policies, he first pointed out to the extensive sales of land which had taken place since their occupation of Orissa. The rigours of the regulations which followed one after another and the sale of valuable estates at far away Calcutta had eliminated many original land-holders of the place. "Many of these patrimonial Estates" said Watson, "have passed into the hands of absolute strangers, for the greater part non-residents, who have but a remote and secondary feeling for the true interests of the District." Many estates were under 'khas' management in which the raiyats were very far from being at ease because of the oppression of the subordinate revenue officers. Watson found out strong proof of the distress of the cultivators from the fact that frequent and numerous applications were made to the court of justice on behalf of the collector or the land holders against the undertenantry and peasantry for non-payment of the revenue. At times, these unfortunate people were put under confinement.[2]

Next, Watson pointed out to the defect of the constant fluctuation of the assessment under the system of temporary settlements. A variable 'jama', which increased as the lands improved, took away from the landed proprietor the legitimate reward of his own industry. Watson observed, "as he gains nothing by the increase of the produce of the soil, it becomes his direct interest to leave as much of his Estate uncultivated as he safely can for the chance of a perpetual settlement at a fixed assesment the standard of which is to be determined by the actual produce of the lands in cultivation at the time." It was partly responsible for the miserable poverty of the people. The lands were, as if, cultivated for the sole benefit of the Government. The landholders had no profit and naturally the advanced assessment increased their debt. But it was the raiyat or the cultivator of the soil who suffered most and was

[1] Orissa Records, Vol. II, E. Watson to Government, May 3. 1817, pp. 1-9.

[2] *Ibid.*, E. Watson to Government, May 3, 1817, p.2.

almost crushed by the multiplied demands of revenue from his holdings.[1]

Watson drew the attention of the Government to another defect of their revenue system. It was about the rigour with which the land revenue was exacted. The demands against the zamindars were not enforced with the indulgence and forbearance which should have been granted to them. Even their just rights were not respected. He even found out that they did not receive timely notice of the period fixed for the sale of their lands for adverse balances. Legally it was required that the notice for the sale of estates should be served to their proprietors not less than one month before the sale. But usually the notice was served so late that the zamindars had no time to deposit their arrears of revenue into the Collector's treasury. This violation of the regulation on the part of the Government deprived the zamindars of their just rights of saving their estates before sale.[2] Watson pointed out to another defect of the revenue system of the British. That was in connection with the depreciation of the price of 'kauris.' The Government had fixed the rate of exchange between silver rupees and 'kauris' at 4 'kahans' per rupee. The public revenue was demanded in silver but the zamindars realized their revenue from the cultivators in 'kauris' at the fixed rate of exchange. So the zamindars incurred heavy loss and consequently suffered much when they paid the Government dues at the fluctuating rate of exchange which even went upto 6 to 7 'kahans' of kauris' per rupee.[3]

Finally, Watson pointed out that the postponement of the permanent settlement of land revenue had caused disappointment in the minds of zamindars. He was categorically of the opinion that "It is a permanent settlement alone which can correct the prevailing abuses in the internal detail of the collections, repress disorders by the personal influence of the landholders, give vigour and energy to the law, protect and shelter the landed interests of the Province from utter extirpation and ruin, and restrain extravagant and fruitless speculations of public officers......" If it was not possible to grant 'the boon of

[1] Orissa Records, Vol. II, E. Watson to Government, May 3, 1817, p. 3.
[2] *Ibid.*, p.6.
[3] *Ibid.*, p.4.

perpetual settlement' to Orissa, Watson wanted that at least a settlement for a long term, such as 15 or 20 years, should be made.[1]

Another report on the causes of the disturbances was submitted to the Board of Revenue on May 23, 1817 by William Trower, the then Collector of Cuttack.[2] Like Watson, the first point he discussed in his report was about extensive sale of lands which had taken place in Orissa since the British occupation. It appeared to him that there were two grounds of complaint respecting sale of lands, the first was, the disposal of estates of a higher 'jama' of Rs. 5,000 or more at Calcutta and the second, the permission granted to native officers of the Government to purchase estates sold at the Collector's office. Practically none among the Oriya zamindars had their agents at Calcutta. So they were almost entirely excluded from purchasing any of the estates sold at the office of the Board of Revenue there. As a remedy to this evil, he suggested that the estates for sale should be advertised on the same day at the office of the Board and the Collector's 'cutcherry' and the condition of the sale should be that the highest bidder at either of the two places should be considered the purchaser. He had many proofs of the evil of permitting native officers of Government to purchase lands at public sale. There were many cases of unfair dealing and gross instances of fraud on record by which the Oriyas had been deprived of theire states. However, he was inclined to think that greater cause of complaint existed on the score of private transfer of property than public sales. For an example, he stated that one day a police darogah sold mahals to the value of 50,000 rupees which he had purchased for 21,000 rupees and that was only a small portion of the landed property of the province that had passed through his hands.[3]

Trower did not agree with the views of Watson that the fluctuation of the assessment of land revenue under the system of temporary settlements was a cause of dissatisfaction of the people of Orissa. The former based his arguments on the

[1] Orissa Records, Vol. II, E. Watson to Government, May 3, 1817, pp. 6-7.

[2] *Ibid.*, W. Trower, Collector of Cuttack to J.P. Ward, Acting Secretary to Board of Revenue, May 23, 1817, pp. 19-35.

[3] *Ibid.*, p. 23.

consideration that the system of annual settlements also existed under the Maratha Government. He was of the opinion that the Marathas did not care at all for the interests of the people and the 'amils', who were entrusted with the collection of land revenue, followed a method "altogether arbitrary". In comparison, he felt that the British administrators at least gave some care and attention to the interests of the individuals though they followed a system of temporary settlements under which the assessment fluctuated. He found out that the British system brought disappointment due to the breach of their promise of a permanent settlement. As a remedy to that he suggested that a decennial settlement would be very agreeable to the zamindars provided they would be assured of a permanent settlement at the end of that period.[1] He was of the definite opinion that arrears were not due to overassessment of estates. Perhaps the most operative factor of increasing balances had been the repeated settlements that so closely followed each other. As a result of which the zamindars were kept in a constant state of suspense and uncertainty. The shortness of the period, for which each successive settlements had been concluded, rendered it hopeless to look forward to any increase of resources from extension of cultivation. But the zamindars made every effort to save their estates from public sale. Trower believed that it was the 'system of anticipation' which was the root of all evils in the land revenue system of Orissa.[2]

Trower also discussed about the great rigour and severity with which the land revenue was collected from the raiyats. Such a state of affairs prevailed particularly in the estates which were held by officers of the Government and unscrupulous speculators. The cultivators were burdened with many unauthorized 'abwabs' or impositions besides the regular land revenue. The demands were arbitrary and oppressive. In order to prevent such arbitrary impositions, he suggested for the exchange of 'pattas' and kabuliyats' between the zamindars and the cultivators of the soil on stamped paper of small price

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[1] Orissa Records, Vol. II, W. Trower, Collector of Cuttack to J.P. Ward, Acting Secretary to Board of Revenue, May 23, 1817, p. 24.

[2] BRP, No. 22 of May 13, 1819. W. Trower to A. Strirling, November 26. 1818.

till the time of the permanent settlement in Orissa.[1]

The depreciation in the price of 'kauris' was not a matter of surprise to him because sicca rupees were only received in payment of revenue and more than two-thirds of the rupees collected were annually carried out of the province in consequence of which silver was very scarce. Both the raiyats and zamindars were sufferers in the depreciation of the 'kauri' currency. As the rate of exchange between the rupee and the 'kauri' depended entirely on the scarcity or abundance of the former available in the market, Trower wanted to devise certain means to keep rupees in the province on a level with the 'kauri' currency. He also wanted that the value of 'kauris' should be fixed to the exact relative value of the rupee. He hoped that by such a process only, the native currency system would be replaced by the British.[2]

Trower drew the attention of the Government to another defect of the British administrative system in Orissa. Long before the outbreak of the rebellion of Khurda, the Government had acknowledged the necessity of providing one or two assistants to the Collector. Trower regretted that the necessity was not fulfilled. The manifold responsibilities of revenue collection and management of 'khas mahals' in whole of the province were too much for a single Collector to perform with proper care and attention. He also pointed out that a constant change of Collectors had taken place in Orissa. No sooner had one man made himself acquainted with his duties and problems of the people in Orissa, he was replaced by another, altogether unacquainted with such duties and problems. In Bengal, the duties performed by each Collector in revenue matters was almost the same on account of the prevalence of the permanent zamindari settlement. So the inconvenience of constant changes were not felt. But in Orissa, where the settlement was not permanent, the constant changes of Collectors were attended with 'incalculable evil'.[3]

Perhaps, the Government did not feel satisfied with the

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[1] Orissa Records, Vol. II, W. Trower, Collector of Cuttack to J.P. Ward, Acting Secretary to Board of Revenue, May 23, 1817, p. 30.

[2] *Ibid.*, pp. 28-9.

[3] BRP, No. 22 of May 13, 1819, W. Trower to A. Stirling, November 26, 1818.

explanations furnished by the above noted officers and wanted to know in further details the causes of the widespread disturbances of 1817. So it was resolved to set up a Commission on September 16, 1817 for enquiry into the general state of affairs which prevailed in Orissa and particularly in the territories in which disturbances had occurred. The Commission constituted of two officers, Major-General G. Martindell and Walter Ewer. G. Martindell, as Commanding Officer of the armed forces, had enforced the martial law in certain parts of Orissa and had suppressed the disturbances. The nature of his duties had given him some local experience. So, it was thought expedient to appoint him as a member of the Commission. Walter Ewer was a talented Bengal civilian who had achieved extraordinary success by his measures for improvement of the police, and for the suppression of disorder in the districts of Mymensing, Rajasahi and Midnapore. So he was peculiarly qualified for the trust. He was also appointed as an acting Judge and Magistrate of Cuttack. The Government hoped that the Commissioners would furnish full information regarding the real state of affairs and offer specific suggestions with a view to the establishment of permanent tranquillity.[1]

THE REGULATION 5 OF 1818

Before the Commission had submitted its final report, the Government made a significant change in the administrative set-up of Orissa. It was deemed necessary that a civil servant of "high rank, great weight of character and extensive experience both in the judicial and territorial departments" should be deputed to Orissa to set things in order. He was to be invested with the title of 'Commissioner in Cuttack' with the powers of general control in the administration of every department. In the superintendence of the land revenue within the local limits of Orissa, the Commissioner was authorised to assume the function and to discharge the duties of the Board of Revenue. A new regulation, which embodied such provisions, was passed on April 28, 1818. The regulation 5 of 1818, thus introduced a new office of the 'Commissioner in Cuttack'

[1] BJ (Cr) P, No. 77 of September 16, 1817, Resolution of Government of Bengal, September 16, 1817.

which became the principal office in the administration of Orissa for more than a century. The regulation nominated Robert Ker, the second Judge of the Courts of Sadar Dewani Adalat and Nizamat Adalat, to act as the first 'Commissioner in Cuttack'.[1]

WALTER EWER'S REPORT OF 1818

Walter Ewer alone submitted his voluminous report to the Government on May 13, 1818 in which he discussed all aspects of the early British administration in Orissa.[2]

He first discussed the factors which led to the rebellion at Khurda. He found out that its inhabitants had lived in ease and contentment under the Government of native princes. The regular assessment of land revenue on the raiyats was light. Besides, the raiyats or cultivators of the soil had the freedom of approach and appeal to the ruler at all times against the misconduct of inferior officers of the Government which afforded them an effectual security. Khurda was brought under the direct control of the British Government in 1805 and for two years it was left under the management of Major Fletcher. He undertook the settlement of the estate which was afterwards completed and revised by the first tahsildar, Golam Kadir. The settlement was based on the actual quantity of land in cultivation, and the nature and value of the produce, which were ascertained with 'tolerable accuracy'. The assessment of land revenue by Fletcher and the first tahsildar was moderate although it was higher than that which the raiyats were accustomed to pay. However, it upset the former system of Khurda in some respects. The 'sarbarahkars', who were only the ministerial agents of the former Government, became a sort of farmers of the revenue. As there was no restraint on them, they became guilty of abuses and oppressive exactions. Ewer reported that "In place of the mild, revered, and efficient authority of the Rajah was now substituted that of the Judge and Collector in Cuttack, to whom an ignorant inhabitant of Khoordah would seldom dream of appealing". Naturally the common people suffered under

[1] BJ(cr)P No, 44 of April 28, 1818, Regulation 5 of 1818.

[2] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

the British administration from the beginning.[1]

The subsequent events added much to the initial sufferings of the people. In 1809-10, Khurda was let out in farm for 10 years to a Bengali speculator and Ewer was convinced that the rapid deterioration of Khurda territories began from that year. That speculator almost doubled the 'jama' of the estate. It was not possible to collect such a heavy amount but his extortions made a lasting impression of horror on the minds of the people. He was thrown out of the engagement by the Government for his arrears of revenue only after two years and the estate came under the direct management of the Government. The Government also subsequently increased the 'jama' of the estate without proper enquiry and in 1815-16, the 'jama' was much above the original assessment of Major Fletcher. Ewer did not hesitate to point out that the oppressive weight of taxation on the cultivators in 1815-16 was twice the 'jama' of 1804-5. Such a ruinous land revenue policy combined with maladministration in other departments created a state of desperate misery for the people of Khurda which cluminated in the outbreak of 1817.[2]

Next, Ewer then proceeded to analyse the factors which led to the discontent of the people in general in other parts of Orissa. His findings on the errors of the land revenue policy and administration were on the same line with those of Watson and Trower. He found out that the constant transfer of landed property by public and private sale was always spoken of with strong feelings of disgust by the people. It was calculated that more than two-third of the original proprietors were displaced from their estates during the first 14 years of British administration. It led to undue extortion from the cultivators by the new proprietors. Ewer declared that he did not remember a single instance of complaint on the part of a raiyat in the estate of an original proprietor against his zamindar. But from raiyats and 'mukaddams' of the estates which were held in farm or belonged to the 'foreigners'*, the com-

[1] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

[2] *Ibid.*

* In this connection the term 'foreigners' denoted muslim, Bengali and other non-Oriya zamindars who came in the wake of British administration.

plaints were 'numerous and distressing'. The cultivators complained that their zamindars constantly increased the rent of their lands and even it was doubled at times. On the other hand, the zamindars asserted that the Government had increased the 'jama' of their estates continually without any reference to their resources. Thus, so thought Ewer, the ultimate responsibility of all troubles came to the shoulders of the Government. In this connection he raised the question of the failure of the British laws and regulations which were introduced in Orissa. It was a matter of grave concern that not a single regulation had been translated into Oriya, the language of the people in Orissa. They were translated only into Persian and Bengali. To add to this inconvenience, the Government had followed a policy of systematic exclusion of the natives of Orissa from all offices in their administrative machinery. Not only that they had been thrown into the background, but also that they had been subjected to the exactions and injustice of the Bengali 'amlas', who monopolised all subordinate offices of the administration at that time. Ewer felt convinced that the exclusion of the Oriyas from 'all offices of trust and responsibility' had tended to check and confine the diffusion of knowledge of the British system to a great extent.[1]

Ewer saw that with reference to its total area, Orissa paid a higher assessment of land revenue than Bengal and Bihar. According to the Rennel's map, the area of Bengal, Bihar and Midnapore was 1,49,217 square miles. The 'jama' at the perpetual settlement was sicca Rs. 2,68,00,939 or it was about 171 sicca rupees per square mile. But the area of Orissa (excluding the hill tracts) was, according to his calculation, 6300 square miles. The assessment of land revenue was sicca Rs. 14,38,382 or about sicca Rs. 232 per square mile. This estimate also included the rent-free lands and estates whose 'jama' were fixed like Ali, Kanika and Kujang etc. So the lands which were actually on the rent-roll of the Government paid about 1 annas per 'bigha'. It was much higher than the average assessment per 'bigha' in Bengal and Bihar which scarcely exceeded 5 annas for lands actually cultivated at the time of the permanent settlement. He concluded, therefore, that the

[1] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

assessment of land revenue in Orissa 'has, however, notoriously been fixed or at least augmented at hazard, without any satisfactory ascertainment whatever of the real value and capabilities of the estate from which an increase has been levied."[1]

On the subject of loss from calamity of season, he pointed out that the refusal to grant any remission to the zamindars for the failure of crops had been constantly urged upon by them as a very serious hardship. Petitions were numerous to that effect. The Marathas made continual deductions from the rent-roll in proportion to the damage sustained in seasonal calamities. But unfortunately for the peasants and zamindars of Orissa, the British Government did not follow the practice of the Marathas.[2]

Ewer also discussed the problem of currency in the province and the grievances associated with the depreciation of 'kauris'. 'Kauris' were received in payment of revenue till the end of 1807-8 upto which they maintained the Government rate of exchange in the market. But the rate of exchange suddenly fell after that year and the 'kauris' were much depreciated. It perhaps reached the lowest rate in the Cuttack market in 1811-12 (about 7 kahans of kauris per sicca rupee.) It rose subsequently and again fell but not to so low a rate as before. These wide variations in the rate of exchange, Ewer believed, were unknown elsewhere and in the interior of the province the peasants, who disposed of their produce for 'kauris', sustained most ruinous loss from the high rate at which they had to purchase rupees in exchange of those 'kauris'. The question of the 'kauri' currency escaped altogether the notice of the special Settlement Commissioners, Charles Buller and John Richardson, but it had frequently been raised by different Collectors. E. Scottwaring reported the matter in 1811 and his opinion of the "serious inconvenience, delay and loss resulting from the difficulty found in converting cowries into rupees" was decidedly expressive of the gravity of the situation. G. Warde remarked in a letter in September 1812 that "whatever may be the real merits of the question, complaints on the subject of the cowrie currency were almost universal throughout the

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[1] BRP. No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

[2] *Ibid.*

district." William Trower had also explicitly declared that the depreciation of 'kauris' had frequently ruined the peasants in Orissa. Ewer pointed out that the Government did not take notice of the views of the local revenue officers on the matter. He was of the opinion that an actual scarcity of silver was at the root of the trouble. A considerable proportion of silver currency was drained out of the province. In the days of the Marathas, the greatest annual remittance of surplus revenue to the treasury of Nagpur never exceeded, as far as Ewer could, find out, 4 lakhs of rupees. That amount was almost invariably remitted by bills of exchange. But the average annual remittance from the treasury of the British Collector in Orissa to Calcutta had been equivalent to more than 7½ lakhs of sicca rupees since its acquisition. In each of the years, 1814-15 and 1815-16, about 10 lakhs of rupees were sent out of Orissa. Consequently, the value of 'kauris' fell in market and led to the hardship of the raiyats who were required to pay their governmental dues in silver only.[1]

Finally, Ewer suggested several measures for the improvement of the land revenue administration in Orissa. He wanted that the system of biennial and triennial settlements should cease as speedily as possible. The land holders should be allowed to enjoy for a long period of years the full profits of their industry and outlay of capital in their estates. At least they should obtain the certainty of a respite for some times to come from increased demand on lands actually in cultivation. It did not appear to him that a permanent settlement was indispensable for such an end. He believed that only a limitation of the existing amount of taxation for a number of years would cure one of the worst maladies from which Orissa suffered. He recommended that a settlement of land revenue should be made for a number of years and warned the authorities that any promise or allusion to a permanent settlement should be cautiously avoided. In this connection, Ewer pointed out that though some Muslim and Bengali zamindars were eager for a permanent settlement, no genuine native zamindar of Orissa complained about the matter in his long list of grievances against the British administration. He even went on to say

[1] BRP, No. 15 of July 17, 1818, Ewer to Government. May 13, 1818.

that "I much doubt whether one-half of the native land-holders ever even heard of the promised boon." However, he concluded that for the peculiar circumstances of Orissa and its sufferings, it had the extraordinary claims to the grant of a permanent settlement as early as possible.[1]

Thus, Ewer's report revealed the shortcomings of the British administration in Orissa during the early years, analysed its causes and suggested some changes in the policy for amelioration of the condition of the people. Even before Ewer submitted his report, the Government had appointed Rebert Ker, a high official, as the 'Commissioner in Cuttack' to bring about decisive changes in the administration of Orissa. Especially he was required to extricate the revenue department from the most hopeless disorder and confusion.[2]

CHANGE OF POLICY, 1818-1822

Ker arrived at Cuttack on June 10, 1818 and found that there was a large amount of arrears of land revenue in Orissa. The arrears for 1817-18 were Rs. 12,63,953, which was about three-fourth of the whole 'jama' of the province. The arrears of the previous years and their interest amounted to Rs. 6,60, 615. So the total arrears were as high as Rs. 19,24,568 when Ker took charge of the administration of Orissa. In those circumstances, Ker adopted a wise policy of relinquishing such portions of the arrears which appeared as beyond the possibility of realization. The arrears thus written off were Rs. 5,81, 944. They were written off in favour of those proprietors who exerted themselves to make good of the revenue of 1817-18. The success of the policy was evident from the fact that the aggregate balance was reduced to Rs. 8,90,198 by the close of the year 1819 and the revenues of 1818-19 and 1819-20 were realized within the respective years with a balance of about Rs. 40,000 only in each year: In 1818, the sale of the estates was also reduced to 88 only. It further decreased to 13 and 4 only in two succeeding years.[3]

1 BRP, No. 15 of July 17, 1818; Ewer to Government, May 13, 1818.

2 BRP, No. 26 of May 19, 1830, A. Stirling to W. Blunt, Commissioner at Cuttack, February 29, 1820.

3 Letters from the Court, Territorial (Revenue) Department, Vol. 10,

(Continued on next page)

Ker also declared that the most liberal allowance should be made in case of those proprietors who would satisfactorily prove their inability to pay the 'jama' of their estates on account of the calamity of the season, as well as for other losses including loss due to over-assessment. In granting such indulgence to the zamindars, he not only took into consideration the ultimate interest of the Government, but also kept in view the dictates of justice and humanity. His utmost desire was to reduce the sale of the estates for arrears of revenue and he took recourse to that method only when all other attempts had failed. In this connection he pointed out to the defective manner in which the Bengal Code for the collection of land revenue had operated in Orissa for years together. He found out that the practice of issuing written demands for arrears had long since fallen into disuse. The levy of interest on arrears had been so uncertain and irregular that the dread of it as a penalty did not operate in the minds of zamindars or farmers to be regular in their payments. That which the regulation prescribed as a last resort viz., the sale of lands by public auction, had been the sole process in Orissa for realizing the arrears of revenue. He was convinced that had the rules for the collection of the public dues been enforced with more care and attention much of the evil and confusion which had long beset in the revenue affairs of Orissa might have been avoided.[1]

Ker strongly recommended for enacting a new regulation in order to preserve the remnant of the native land-holders from ruin, which mainly resulted from the sale of their estates. His recommendation was accepted by the Government and a new regulation (regulation 10 of 1818) was promulgated in November 1818[2]. The principal objects of the said regulation were to enable the Collector to arrest and put in confinement the person of a defaulter, and to substitute the mode of enforcing payment, as he might deem it preferable, to the sale of his lands. However, the Court of Directors thought that such

(Continued from previous page)
Court of Directors to Governor-General in Council, December 10, 1823.

[1] BRP, No. 25 of May 19, 1820, A. Stirling to W. Blunt, Commissioner at Cuttack, February 29, 1820.

[2] *Ibid.*

powers in the hands of the Colectors might be abused and therefore, they directed : "This extraordinary power ought to be exercised only in extreme casas, and much vigilance should be employed on the part of the Superintending authorities in taking cognizance of the proceedings of the Collectors in this respect, and it is for this purpose that we have here so particularly noticed the danger."[1]

The Government also adopted another measure for improving the situation in Orissa. The triennial settlement of the regulation 6 of 1816 was extended for three years more *i.e.*, upto the end of 1821-22 by the new regulation 13 of 1818. The 'jama' was reduced by more than one lakh of rupees and was fixed at Rs. 15,27,834 as against the previous 'jama' of Rs. 16,37,924. By this reduction of the 'jama' the over-assessed estates got some relief and the Government anticipated regular payment of revenues from those estates. The Court of Directors approved in principle the extension of the settlement till September 1822. They also believed that the reduction of 'jama', which was based on actual resources of the estates, would ultimately recover the people from the prevalent state of depression.[2]

The Court of Directors also gave approval for improving the efficiency of the administrative machinery in Orissa. Two Assistants to the Collector were appointed for proper supervision of the revenue affairs which was not possible on the part of a single Collector. The Court desired that the Collector should regulate the sphere of operations of his Assistants in such a manner so as to render them "most conducive to the right administration of the interests confined to his charge."[3]

Thus within a few years of the Rebellion of 1817, the Government took decisive steps to end the chaotic condition and to reform the administrative machinery. By 1822, order had been restored and tranquillity prevailed in Orissa. That year the Government took the next step in its land revenue policy.

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[1] Letters from the Court, Territorial (Revenue) Department, Vol. 10 Court of Directors to Governor-General in Council, December 10, 1823.

[2] *Ibid.*

[3] *Ibid.*

2 Land Revenue Policy and Administration II 1803-1858

FORMULATION OF NEW POLICY, 1822

In 1822, the Government brought about a decisive turn in its land revenue policy in the Presidency of Bengal. Till then the Cornwallis system was the guiding principle of the land revenue administration in that Presidency. It was regarded as the panacea for all ills in land and revenue matters. But in the early 19th century the efficacy of the policy was doubted. The Fifth Report of the Select Committee, printed in July 1812, for the first time publicly called in question the principle of the permanent assessment of the revenues. The Home Government peremptorily forbade Lord Moira, the Governor General in 1813, to sanction a permanent system in any of the new provinces and therefore temporary settlements were made in Orissa and 'the ceded and the conquered provinces'. The Home Government also urged upon a need for the survey of land tenures and rights throughout the Bengal Presidency. Moira agreed to adopt the measure but the pressure of political business prevented him from looking into the matter at that time. It was taken up in 1821.[1]

In the meantime the Madras Government had successfully carried out the raiyatwari system which was advocated by Munro. He ably contrasted the small raiyatwari proprietor with the big zamindar and pointed out that it was much advantageous to settle lands with a large number of small proprietors instead of a few big zamindars. In his system, every raiyat was the proprietor, the farmer, and the labourer in his own estate. He also argued that the system was better

[1] C.H. Phillips, *The East India Company 1784-1834*, p. 204.

calculated to increase production because it created more proprietors and farmers but fewer common labourers. The small proprietors would be more interested than the big ones in the management and cultivation of their lands. Munro also found that the raiyatwari system would retain all unoccupied lands in the hands of the Government and thus give power to the latter to increase the revenue without imposing any fresh burden on the raityats.[1]

Munro's success had decisive influence on the policy of the Home Government. They formulated four principles to serve as the basis of their revenue administration in British India. The first was an acknowledgement that there was as much evils as good in the Cornwallis system which was in operation in Bengal. The next conclusion was that there was no sufficient reason to make a permanent land revenue settlement in any other province in India. Thirdly, it was accepted as fact that the creation of an artifical class of zamindars was both inexpedient and unwise and, lastly a survey of land tenures and rights was considered as the necessary preliminary to any long-term revenue settlement. Thus, by 1821 the Home Government finally managed to disuade the Bengal Government from imposing permanency on the land revenue settlement of the new Bengal provinces.[2] The comparative advantages of the raiyatwari settlement over other systems were an admitted fact. But as it involved a considerable increase in the number of Indian revenue Collectors and a consequent increase in the number of European Supervisors, the Bengal Government ruled it out as impracticable. Moira agreed on principle with the views of the Home Government but found many practical difficulties on his way to make settlement with individual raiyats or resident cultivators.[3]

The prolonged controversy and discussions which followed, however, ultimately led to the establishment of the Mahalwari system of settlements in 'the ceded and the conquered provinces' including Orissa. The system was so called because the settlement of revenue came finally to be concluded on be-

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[1] B.H. Baden-Pawell, *Land System of British India*, Vol, III, p. 44.

[2] C.H. Philips, *The East India Company, 1784-1834*, p. 212.

[3] B.B. Misra, *The Central Administration of the East India Company, 1773-1834*, p. 213.

half of a Mahal or 'a parcel of lands.' The immediate credit for the formation of the system goes to Holt Mackenzie, Secretary to the Government of India in the Territorial Department. He advocated the system in his famous minute of July 1, 1819 and recommended that the settlement of revenue should be made with the proprietors of mahals. But, emphasised Mackenzie, a systematic and detailed survey of each village was necessary before the revision of the existing settlement was taken up.[1]

In a resolution of August 1, 1822, the Governor-General in Council adopted Mackenzie's recommendations. One of these resolutions declared that "There can be no assurance of the state of property in any Mahal being fully developed unless the revenue officer shall be enabled to conduct his enquiries on the spot, village by village; proceeding upwards from the persons who till the ground to the Government itself, noticing distinctly all the classes who share in the produce or rent of the land, the extent of the interest of each, and the nature of the title by which it is held."[2] Thus it is obvious that although the Government did not technically adopt the raiyatwari settlement, the provision for a thorough enquiry and survey did impart to the new system, as adopted under the name mahalwari, the character of that of the raiyatwari settlement. The resolution of course declared that it was never intended to destroy the distinction between different classes of tenants nor to interfere hastily with the existing modes of management. But as far as practicable "the Collectors should ascertain, record and recognise the extent and nature of the land occupied, the interest enjoyed by each ryot, with the obligation attaching to it."[3]

These resolutions were enacted into a regulation on August 8, 1822. This regulation 7 of 1822 marked the beginning of a new phase in the history of land revenue administration in Orissa by clearly enunciating the change of policy of the Government and by initiating a different plan from the previous methods of settlement. The existing settlement of

[1] B.B. Misra, *The Central Administration of the East India Company 1773-1834*, p. 214.

[2] BRP, No. 64 of August 1, 1822; Resolution of the Governor-General, in Council August 1, 1822.

[3] *Ibid.*

Orissa was extended for five years, that is, until the end of 1826-27, by the new regulation. It envisaged that the revision of settlement should be made village by village and mahal by mahal. The revenue, which was to be demanded for the years subsequent to 1826-27, should be fixed with reference to the produce and capabilities of the land as ascertained at the time of the revision of the settlement. The assessment of revenue should be so regulated as to leave the zamindars and other proprietors a net profit of 20%. The regulation also clearly recorded the duties of the Collector at the time of the revision of settlement. He was to ascertain and record the fullest possible information with regard to land tenures, and the right, interests, and privileges of the various classes of the agricultural community. The regulation also required that all 'lakhiraj' or rent-free tenures should be carefully recorded with a specification of the exact nature of the tenure. Furthermore, the Collectors and other revenue officers were empowered to grant 'pattas' or deeds of lease to the zamindars and raiyats or other owners or occupants for the land owned or occupied by them. Finally, the regulation gave a wide scale of judicial authority to the Collectors and other revenue officers to hear and determine suits, claims and actions which would arise in course of the settlement proceedings.[1]

By the above noted regulation 7 of 1822, the 'jama' of Orissa was raised to Rs. 15,89.585[2], and the Government declared that no further change in the revenue of any 'mahal' would be made until the completion of the detailed measurement and settlement of its lands.

KANUNGOS AND PUTWARRIES

The Commissioner in Cuttack was instructed by the Government to avail of the opportunity of the approaching settlement and place their offices on a proper footing to reorganize the office of Putwarries or village accountants. For this, it was necessary to ascertain and record the emoluments drawn by or to be assigned to the putwarries in each village as well as to determine precisely the nature of the accounts to be

[1] G.Toybee. *A Sketch of the History of Orissa (1803-1828)* Appendices. pp. ccxii to ccxxxvii.

[2] *Ibid.*, p. 58.

rendered and duties to be performed by them. It was also felt necessary that in view of the volume and nature of work the Commissioner and the Collector should determine the number of 'Kanungo's or native revenue officers required and the extent of areas to be placed under each. It was believed that under a strict control of the Collector, they could afford essential aid in the approaching settlement.[1] On October 7, 1822 the Collector of Cuttack reported to the Commissioner that 'kanungos' had been appointed throughtout the Mughalbandi portion of the province. They were directed to proceed into the village and to enter on the execution of their duties in conformity with the orders laid down for their guidance. He, of course, took precaution to see that the reintroduction of the office of 'kanungos' did not put the zamindars to difficulties.[2] The Government appreciated the appointment of the 'kanungos' throughout the Mughalbandi portion of Orissa under the Collector in which revenues were temporarily settled. The authorities hoped that it might be found practicable to obtain from the 'kanungos' annual abstract statements, showing the extent of the different kinds of land cultivated in the several villages with rates for the each type. The statements of the 'kanungos', it was believed, would serve as the fundamental basis of the detailed settlement of lands in Orissa which was to come under the regulation 7 of 1822.[3]

DIFFICULTIES IN PROGRESS OF THE SETTLEMENT, 1822-32

Contrary to expectations, the reestablishment of the offices of kanungos' and 'putwarries' did not solve the problem of detailed settlement of lands in Orissa. Much of the difficulty arose from the non-availability of experienced and qualified revenue officers to conduct settlement proceedings. The province was under a single Collector in 1822 when the regulation was passed. It was almost impossible for him to cope with the immensity of the task. In March 1824, the Governor-

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[1] CRR. Acc. No. 504. Secretary to Government to Commissioner at Cuttack, August 1, 1822.

[2] *Ibid.*, Acc. No. 38, Collector of Cuttack to Commissioner of Cuttack, October 7, 1822.

[3] *Ibid.*, Acc. No. 504. Halt Mackenzie, Secretary to Government to W Biunt, Commissiner of Cuttack. December 6, 1822.

General in Council approved of the suggestion of the Commissioner and a substantive collectorship was created for the Balasore division (with river Baitarini as the boundary line between two collectorships). But the Collector of Balasore was saddled with the responsibilities of joint magistracy and registership of civil court with full powers.[1]

On October 23, 1828 the Governor-General in Council further revised the distribution of the public offices in Orissa. There were altogether 9 civil servants including the Commissioner and the Judge. The Government thought that the number was more than what it should be in proportion to the revenue and the population of the territories. So they desired to reduce the number of civil servants without, of course, seriously hindering the efficiency of the administration. By a resolution of the Government dated October 23, 1828, the Mughalbandi portion of Orissa was divided into three natural divisions. In the northern division or the district of Balasore, a single officer was entrusted with the duties of the Collector, Salt Agent, Magistrate and Custom Officer. Besides these duties, he was also given the authority of the Register of the Civil Court with full powers. Similarly, in the southern division or the district of Puri, a single officer was entrusted with the duties of the Collector, Salt Agent, Magistrate and also the Collector of Pilgrim Tax. In the central division or the district of Cuttack, a single officer was given the duties of the Collector and Salt Agent. One Deputy Collector was attached to him to assist in the discharge of those duties. Besides these four officers, there were the Commissioner, Civil Judge with magistracy of the central division, and one assistant of the superior class. Thus the Government reduced the number of officers to seven only for the administration of the whole of Orissa.[2] It is strange that the Governor-General in Council did not take into consideration the consequent problems likely to arise out of the regulation 7 of 1822 and the heavy responsibilities which fell upon the Collectors. Instead of making the appointment of special settlement.

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[1] CRR, Ac. No. 482, Holt MacKenzie to W. Blunt, March 19, 1824.

[2] BJ(C)P, No. 1 of November 27, 1828. Resolution of Governor-General in Council, October 23, 1828.

officers or of relieving the Collectors of the routine duties of their offices, they increased their responsibilities in several departments and pinned them to their offices. Consequently, the progress of the settlement under the regulation 7 of 1822 was almost stopped. By the regulation 1 of 1829, the Commissioner was empowered, in matters of revenue, to function as the Board of Revenue and Court of Wards for Orissa. He became subordinate to the authority of the Sadar Board of Revenue at Calcutta. However, this alteration in the powers of the Commissioner did not improve the situation as regards the revision of the settlement was concerned.

On April 21, 1829, the Sadar Board of Revenue took into account certain matters connected with settlement of Orissa under the regulation 7 of 1822 and conveyed their observations to the Commissioner of Cuttack.[1] They observed that as the success of the settlement would mainly depend on the accuracy of the measurement of lands, it was obviously desirable to secure an efficient establishment of 'amins', to be employed on duty. The Board were of opinion that the practice of discharging 'amins' at the end of the measuring season should be abolished, and that in future they should be permanently absorbed. It appeared to the Board that the field work should be kept distinct from the preparation of the abstracts necessary for detailed accounts. So they wanted that the 'amins' should be directed to report themselves to their duty in the field while the detailed accounts should be prepared by a separate establishment at the Collector's office. When the season for outdoor operations was over, the 'amins' or the 'measuring party' might be advantageously employed in other works until the season came round for resuming the measurement. As regards the payment of the officers of the survey establishment, the Board expected that the Collectors would examine carefully the extent of work done, in measuring and defining boundaries, at the end of each month, and if they were satisfied with the quantity and accuracy of the work, they might at once discharge 2/3rd of the monthly allowance of each individual, retaining the remaining 1/3rd in deposit until the return of the party to the sadar

[1] CRR, Acc. No. 90, Secretary to Sadar Board of Revenue to Commissioner of Cuttack, April 21, 1829.

station. Such a method was considered necessary for ensuring accuracy and regularity in the work of the 'measuring party'. At the end of each 'measuring season' (not being later than the first of July) the Board wanted to be furnished with a statement of the progress made in the measurement of each district and of the expense at which the work had been done. The Board further requested the Commissioner to report (before 1st of September of each year) which 'paragana', estate or village of each district might be resettled during the ensuing season and to specify the quantity of work which might be expected from each Collector.[1]

But the Sadar Board of Revenue did not create any new office for expediting the settlement work. They only vested the Deputy Collector of Cuttack with all the powers of a Collector in execution of the settlement under the regulation 7 of 1822. He was to exercise those powers in that portion of the district only which might be placed under his control.[2] Naturally the progress was very slow. The tedious and defective process of the settlement proceedings under the prevailing conditions was clearly shown by R. Hunter, the Collector of Cuttack, in 1830. He sent the settlement papers of a village in the prescribed forms of the said regulation to the Commissioner and drew his attention to the shortcomings of the system. The settlement of the village thus reported was Ramchandrapur in the Estate of Pahrajpur of Cuttack district. The village was to be seen only as a sample case.[3]

The first point to which the Collector drew the attention of the Commissioner was about the rent-free tenures, The forms prescribed for enquiry into 'lakhiraj' or rent-free tenures required on the whole not less than 3 or 4 months to be completed. It was therefore probable that at least two seasons would be required by the Collector in completing the settlement of a village where the rent-free tenures were so widely distributed. There was scarcely a raiyat who did not occupy some portion of rent-free land in the above-noted village. Un-

[1] CRR, Acc. No. 90, Secretary to Sadar Board of Revenue to Commissioner of Cuttack, April 21, 1829.

[2] *Ibid.*, July 28, 1829, No. 3620.

[3] *Ibid.*, Acc. No. 93, R. Hunter to Commissioner of Cuttack, September 22. 1830.

less the Collector remained present at the the village to complete the assement and issssue the 'pattas' in the heart of the community, it would be a source of great hardship to the raiyats to be called to the district headquarters to adjust all the terms of assessment. At times it was also necessary to inspect some particular field regarding the quality of which a difference of opinion arose between the occupant who cultivated and the 'amin' who classified the land. This was the chief difficulty in the attempt to expedite the settlement.[1]

Another difficulty which Hunter experienced was the multiplicity of the papers to be calculated before the details of revenue payable by the raiyat could be ascertained. In making the settlement of Ramchandrapur he adhered strictly to the prescribed forms of the regulation. Some of the points exhibited in them were indispensable but most of them were merely repetitions of the same data in different forms and under different names. He wanted to simplify the process without sacrificing any point necessary to complete the links between the field book and the sadar 'jama'. The details could be prepared by the village accountants and deposited in the office of 'Kanungo' for eventual reference.[2]

He further desired that the work of the indigenous measuring establishment should be properly varified by an outline survey of a European establishment. A scientific survey report by a European officer, he felt, would be the most valuable document for future reference. But the difficulty was of procuring surveyors capable of effecting the measurement. At the same time the labour required for the purpose was more than the capabilities of the Collector who was employed in superintending every other department of settlement work besides his routine duties. He pointed out that in issuing the 'pattas' to the raiyats of Ramchandrapur he abstained from the introduction of one uniform rate of assessment for any particular crop. He wished to avoid too much of a forced uniformity which was inconsistent with what had been the usage of the village. There were large number of rates of revenue demanded for the different crops and classes of

[1] CRR, Acc. No. 93, R. Hunter to Commissioner of Cuttack, September 22, 1830.

[2] *Ibid.*

land before the settlement. However, the Collector did not like to keep intact such a wide variation of rates, and so he reduced them into some intermediate grades.[1]

Finally, he emphasized the immediate necessity for removing some of the above-noted causes of delay in completing the settlement in view of the fact that the three districts of Orissa, according to his calculation, contained 10,000 villages. Also he reminded the Commissioner that the anticipated advantages of the settlement would be very partially realized if the work was delayed for long.[2]

But the machinery was not mobilized to expedite the matter. The regulation 7 of 1822 was a laudable measure but, when put into operation, proved to be too slow because of inadequate machinery. The natural consequence was that 9 years after, in 1831, it was found that only the estate of Delang in Puri, the estates of Krishnanandpur, Eranch and Kakar in Cuttack, and the estate of Siari in Balasore had been settled.[3] In that year the Sadar Board of Revenue circulated 21 questions among the Commissioner and the Collectors of Orissa on subjects connected with the revision of settlement. It was the intention of the Board to collect more information pertaining to the subject before commencing the operation more vigorously than before. G. Stockwell, the Commissioner in Cuttack, gathered the replies from the Collectors and transmitted them to the Sadar Board of Revenue along with his own opinion on the subject. The Report was sent on January 20, 1832. Those replies fully discussed the problems of the revision of settlement under the regulation 7 of 1822 which was still in its infancy.[4]

Stockwell, the Commissioner, found out that no uniform principle had been followed in the assessment of land revenue in Orissa. In the few cases of the revision of settlement, the principle of adjusting the Government demand according to the classifications of soil was not fully adopted. Also the

[1] CRR, Acc. No. 93, R. Hunter to Commissioner of Cuttack, September 22, 1830.

[2] *Ibid.*

[3] B(T)RP, No. 60 of December 27, 1832, Commissioner of Cuttack to Sadar Board of Revenue, January 20, 1832.

[4] *Ibid.*

principle of adjusting the Government demand according to the actual produce of lands was not followed. It was rather the combination of those two principle which was taken into consideration in fixing the Government demand. However, Stockwell looked into greater interest of the people and wanted that the ultimate benefit of the peasants should be the sole criterion of revising the settlement and re-assessing the land revenue. He gathered that in Orissa rice was produced abundantly by the people and the production exceeded the internal consumption. But it was not at all paying to the people to export rice to other provinces because of its very low price. So he desired that the assessment of land revenue should be such as to encourage the peasants to produce cash crops like tobacco, cotton, sugarcane etc., which would fetch them higher price in export than rice or paddy. Of course, the Commissioner, knew that the Government would be the loser to some extent if the principle of assessment according to the class of soil would be adopted without reference to its produce. But yet, he wanted that the cultivators of the soil should be given the necessary stimulus to produce more cash crops than mere paddy. Besides this another strong objection to the assessment of the revenue, with reference to actual products instead of soils, was that in the former method it was necessary to adjust the revenue annually whereas it was not so in case of the latter.[1]

It was absolutely necessary to protect, by defining in 'pattas', the rights of every class and of every denomination of persons to be found in the 'mahals' under revision of the settlement. This precaution was as useful to secure a proprietor from encroachments by under-holders and raiyats as it was desirable to prevent his oppression on them. It was difficult to ascertain and define the exact nature and extent of those rights and that was the chief cause of delay in the progress of the settlement. Those rights varied so much that a decision in one 'mahal' did hardly serve as a precedent in the adjoining one. However, as those were the most important objects of the settlement, the Commissioner did not

[1] B(T) RP. No. 60 of December 27, 1832, Commissioner of Cuttack to Sadar Board of Revenue, January 20, 1832.

want to get rid of the process. He further observed that for the protection of the raiyats, besides the grant of 'pattas', 'putwarries' had been appointed and they were so paid as to be utterly independent of the zamindar. Those 'putwarries' or village accountants knew the exact amount to be paid by each raiyat of the village and kept the account of actual payment made by the raiyats.[1]

The Commissioner found that in course of the settlement operations no assistance was derived from the professional survey establishment. As regards the process resorted to in settling a village, he reported that each revision of settlement began with a measurement of the land by the indigenous 'amin' establishment. They entered in their field book, each plot of land by number, stating its size, the quality of soil, description of produce, the occupant's name and the nature of his tenure. The Collector's first duty was to test the accuracy of the measurement by re-measuring certain areas in his own presence. Next, he satisfied himself with the correctness of the classification of the soil and the record of its products. He also investigated and decided upon the various claims from that of mere occupancy to the rent-free tenures. Finally, he settled the net amount payable as revenue to the Government. A 'patta' was given to each raiyat from whom a 'kabuliyat' was taken. The aggregate of the sums inserted in them constituted the mofussil 'jama' of the village."[2]

As regards the period of time required for completing the settlement of Orissa under the regulation 7 of 1822, the Commissioner presented to the Board of Revenue a disappointing state of affairs. He pointed out that the three Collectors of the province, keeping in mind the little progress of the work since the regulation was enacted, believed that the settlements of their districts would never be completely revised in accordance with the prescribed rules. The Commissioner could not disagree with their conclusions, even though he knew that the regulation itself was not the only cause of delay. Previously nothing that could be called a settlement was ever made in

[1] B(T)RP, No. 60 of December 27, 1832, Commissioner of Cuttack to Sadar Board of Revenue, January 20, 1832.

[2] *Ibid.*

Orissa. Only at the expiration of the each term of a so-called settlement, the sadar 'jama' was altered and no concern was shown either for the internal condition of the estates or for the interests of the cultivators. But the settlement under the regulation 7 of 1822 was altogether a different one as it went into all details of land tenures and looked to the interests of zamindars and raiyats alike. The settlement was also preceded by a scientific survey of the lands. Thus the entire process was a complicated and lengthy one which naturally caused delay in its proceedings. It was not easy for the Commissioner to decide the part of the regulation which could be omitted or rescinded for expediting the work. He came to the conclusion that only by employing more persons on duty that the work might be hastened. The natives of respectability, selected with care, could beneficially be employed to perform the said duties. A European functionary drew, when on such duty, an extra allowance of Rs. 250 per month which a native would regard a handsome salary. The entire work might be left to them except for the adjudication of contested right and rent-free claims. The Commissioner found another advantage of employing the natives. The latter could remain throughout the year in the 'mahal' which was being settled and their proceedings were not likely to be impeded by a return to the sadar station during the hot weather and rains. Thus, in his calculation, the employment of native agents was an experiment worthy of trial.[1]

The progress of settlement under the said regulation in 'the ceded and the conquered provinces' (known as the North-Western Provinces from 1836) was almost as slow as in Orissa. It was admitted that much of the difficulty arose from the non-availability of experienced and qualified revenue officers to conduct settlement proceedings. The regulation strictly required that all enquiries should be made on the spot, and that too, only by European officers. But those officers could not cope with the immensity of the task, and hence was the delay. In these circumstances, Lord William Bentick, the Governor-General, decided to revolutionize the whole system in 1833.

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[1] B(T)RP, No. 60 of December 27, 1832, Commissioner of Cuttack to Sadar Board of Revenue, January 20, 1832.

He formulated certain principles which were submitted to a conference of revenue officers at Allahabad and after much deliberation a new plan of settlement was evolved. It was soon embodied in the regulation 9 of 1833, and according to the regulation a circular letter was issued to the Commissioners to expedite survey and settlement proceeding.[1]

THE NEW PLAN, 1833

The new plan was an improvement over the previous one in many respects. Besides the simplification of many complicated details, it made specific provisions for the appointment of Indian Deputy Collectors to expedite the work. They were required to act under the European Collectors and were to be entrusted with any duty for the settlement. They could be removed only by the Governor-General in Council. Another new provision of the said regulation was about the duties of 'putwarries' or village accountants. They were required to prepare three sets of accounts of a village in order to facilitate the enquiry of settlement officers. Out of those three sets, one set was to be kept in the village, the second in the Collector's office and the third one at the 'pargana' office of the 'kanungo'. The regulation wanted to fix the assessment of revenue village by village on the basis of cultivated area of the village, its fertility of soil, position, population and such other matters. The detailed distribution of assessment so fixed for a village was to be done by the village communities or the zamindars, and the preparation of the records of lands in detail was to be exacted from the village accountants.[2]

As to the party with whom the settlement was to be made, no alteration was effected in the new plan, and it wanted to continue the mahalwari system of 1822. But Charles Metcalfe, the senior member of the Governor-General's Council, advocated strongly for the adoption of a raiyatwari settlement on the model of the Munro system in Madras.[3] He was emphatic

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[1] BRP, No. 37 of September 9, 1833, Regulation 9 of 1833. Also, No. 38 of September 9, 1833, Instruction to Commissioners.

[2] *Ibid.*

[3] B(T)RP, No. 66 of December 27, 1832, Minute of Charles Metcalfe, June 29, 1832.

about his notion of the proprietors of lands in India. He was certain that the British regulations had gone far enough to destory the real proprietors of the land and had placed them as tenants under false proprietors, 'gratuitously created' by the regulations. He was categorically of the opinion that there would be no impracticability in introducing Munro's raiyatwari settlement into the unsettled provinces under the Bengal Presidency. He was, of course, not an advocate for minute investigation into the land systems as that could be dispensed with in the long-term settlements of revenue. But whenever accuracy was the principal object, minute investigation was unavoidable, and that was the basis of the plan of 1822. It was true that in pursuit of that system of thorough enquiry, already ten years had passed and nothing had been gained. Metcalfe was convinced that the delay was due to the officers concerned in the work. Either they had not given their minds sufficiently to the undertaking or that their time was wasted in the preparation of unnecessary details. Metcalfe also differed with the views of the Governor-General that the productive powers of the soil and not its actual produce ought to be the criterion of assessment. To him the difference was little more than nominal. The only true criterion of productive powers was actual produce. Actual produce, therefore, was the real basis of assessment as well as the indispensable requisite for the realization of revenue. To him, it was "the beginning and end—the alpha and omega of all settlements".[1]

However, the views of the Governor-General prevailed in the controversy. The principle of a detailed enquiry into private rights and interests, enjoined by the regulation 7 of 1822, was decided to be given up. It was decided that the settlement should be made with the individual proprietors of estates. Metcalfe's insistence on a raiyatwari settlement was of course not in vain. Even the rules of settlement, established under the revised plan, adequately provided for the security of the rights and interests of cultivators and other subordinate tenants. In fact, the mahalwari system, reaffirmed in 1833, wanted to blend the benefits of the zamindari and of the raiyatwari settlements.

[1] B(T)RP, No. 66 of December 27, 1832, Minute of Charles Metcalfe, June 29, 1832.

The new plan was accepted in toto in "the ceded and the conquered provinces" but in Orissa, the local revenue officers strongly protested against the proposed changes. Consequently, they were allowed to have their own ways and were permitted to continue the detailed field to field enquiries and record all rights and interests of the raiyats. The Collector of Puri at first even objected to the appointment of Indian Deputy Collectors on settlement work.[1] So the regulation 9 of 1833 did not expedite the settlement work in Orissa. In that year, William Wilkinson, the Collector of Puri, surveyed and settled the large estate of Khurda, Henry Ricketts, the Collector of Balasore, followed the same course in 1834 at Noanund in Balasore. Only in 1836, the survey and settlement operations commenced in right earnest. The Collectors were sincere in their work to surmount all difficulties which beset their path.[2]

PROGRESS OF THE SETTLEMENT, 1835-37

The report of the settlement proceedings in 1835-36 acquainted the Government of Bengal with the progress of the settlement work in Orissa while pointing out at the same time the problems which the settlement officers faced in their work. It stated that besides the covenanted officers, uncovenanted Deputy Collectors had also been appointed for the settlement work. There were only 3 such officers in Balasore, 4 in Cuttack and 1 in Puri. The Sadar Board of Revenue was satisfied with the progress of the work in consideration of the strength of officers in three districts of Orissa. The Board also appreciated the commendable zeal and diligence displayed by every officer in execution of the work. But Henry Ricketts, who had then been promoted to the office of the Commissioner, was still of the opinion that the completion of the settlement in Orissa could not be anticipated under a shorter time than 15 years. The Board proposed at least to double the present number of Deputy Collectors with a view to the completion of the settlement within the next five years. In order to relieve the Commissioner of the arduous task of reporting the work of so many Deputy Collectors, the Board provided that

[1] Survey and Settlement Report, Vol. II, p. 164.

[2] SRG, Bengal, 1847, XXIVB-No. 3, Minute of A.J.M. Mills, Commissioner of Cuttack, January 23, 1847.

the Collectors should report their settlements direct to them.[1]

As regard the enquiry into the rent-free tenures, the Board found out that the proceedings were not correct. The quantity of the land, held rent free, had been only recorded in the settlement papers and the investigation into the validity of such claims had been left to a future period. In Orissa the rent-free tenures were numerous, almost beyond belief. They were nearly equal in value to 2/3rd of the land revenue of Orissa. If the enquiry into and decision of the validity of those rent-free tenures did not form a part of the settlement proceedings, the work would remain incomplete to a great extent. Because, it would be necessary again for the local revenue officers to visit every village for the purpose of assessing those lands which would be resumed. So the Board was decidedly of opinion that the investigation of all claims to hold land on rent-free tenures was to be conducted simultaneously with and must form a component part of the settlement.[2]

In order to expedite the investigation of rent-free tenures, the Board proposed to give the Deputy Collectors the power to decide at least the petty rent-free claims upto 10 'bighas'. In those of a larger extent, the Board still restricted the power of decision to the covenanted settlement officers. The Board apprehended that numerous appeals would be made in course of the settlement as regards the resumption of rent-free tenures. So they felt that the appellate court should be near at hand and proposed that a Special Commissioner should be separately appointed with a distinct jurisdiction to Orissa only. They also felt the necessity of appointing a special Deputy Collector of Resumption to investigate claims to hold villages free of assessment. There were 388 such villages which claimed rent-free tenures from 1804 to 1809. It was expected that a large number of such villages would be found on enquiry. As an investigation into the validity of such claims would not come within the scope of the proper settlement operations, the Board felt the necessity of a special officer.[3]

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1 BRP, No. 17 of July 6, 1837, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, December 30, 1836.

2 *Ibid.*

3 *Ibid.*

As regards the survey and measurement of lands, the Board found out that both the works were in the hands of the native Deputy Collectors and 'amins. They were neither satisfied with the acuracy of the information which such measurements were calculated to convey nor with the limited and insufficient test to which those measurements were subjected. The Board thought it of great importance that the settlement work should precede with the preparation of survey maps by competent officers which should contain the demarcation of the area of villages and their several boundaries and of the grand distribution of land into cultivated, waste and rent-free categories. The maps, thus prepared by competent officers, would form the basis of any subsequent settlement operations and would become a complete record of the survey of lands in Orissa. The Board, of course, did not intend to employ the professional and competent surveyors in a minute agricultural survey but they were required only to prepare skeleton survey maps of the boundaries of villages, the boundaries of 'pargana's, the site of tanks and such other notable objects. The native surveyors or 'amins' were expected to fill up the details in the map. In that manner the surveying establishment was required to keep pace with the settlement operations. By a constant comparison of results between the scientific surveyors and the officers entrusted with the supervision of the native measurements, any attempt at the concealment of the lands or other inaccuracies and errors in the latter were to be carefully checked. As no revenue maps of the province had been prepared so far, the Board urged upon the preparation of survey maps by qualified officers.[1]

As regards the duration of the new settlement, it was recommended by the Board to conclude it for a period of 30 years.[2] The Government of Bengal agreed with this recommendation and referred the matter to the Supreme Government for final order. The Bengal Government also agreed with the Board that a scientific survey of the whole area of the pro-

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[1] BRP, No. 17 of July 6, 1837. Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, December 30, 1836.

[2] *Ibid.*

vince, liable to assessment, was essential. It did not doubt the correctness of the Board's estimate that if sufficiently rigorous measures were taken, the settlement of the province might be completed within 5 years from the season of 1837-38. Therefore, the sanction of the Supreme Government was solicited for the employment of sufficient number of surveyors and Deputy Collectors under the regulation 9 of 1833. The Bengal Government concurred with the Board that with reference to the numerous rent-free tenures in Orissa, the Deputy Collectors under the regulation 9 of 1833 should be authorised to decide claims for holding lands free of assessment to the extent of 10 'bighas'. On the grounds stated by the Board, it recommended the appointment of a special Commissioner for the final determination of all appeals in the province with regard to the disputes arising out of rent-free tenures. About the resumption of these tenures, it desired to follow a lenient policy and wanted that it might be publicly notified throughout the province that for the period of the current settlement only half the rent paid for the land of the same quality in the same 'mahal' should be demanded from the 'lakhirajdars' or holders of rent-free tenures.[1]

On the question of the duration of the settlement, the Governor-General in Council suggested it for the reconsideration of the Government of Bengal whether a period of 20 or 25 years might not be deemed too long a time. The former were of the opinion that the enquiry into the claims to hold lands free of assessment should proceed simultaneously with the settlements and that a scientific survey of the whole area of the province liable to assessment was essential. They desired that the principal surveyor in each district should be a Deputy Collector under the regulation 9 of 1833 so that he would be in a position to decide boundary disputes on the spot. In order to finish the operations at the earliest possible period, they sanctioned the employment of any number of surveyors and Deputy Collectors. They also did not object to the proposition that the Deputy Collectors should be empowered to decide all claims to hold lands free of assessment to

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[1] BRP No. 23 of July 6, 1837, Secretary to Government of Bengal to Secretary to Government of India, February 7, 1837.

an extent of not exceeding 10 'bighas'. The appointment of a special Commissioner for the final decision of all appeals on rent-free tenures seemed indispensable to them for the success of the operation in such cases.[1]

On March 28, 1837, the Government of Bengal appointed E.H. Repton as a special Deputy Collector to investigate into the title of the people to hold land free of revenue payment throughout the three districts of Orissa.[2] It was decided that the term of the settlement should be fixed for thirty years and that term should commence from 1837-38 with regard to all the estates, the last as well as the first settled.[3] The Governor-General in Council accepted the suggestion, and an Act was passed (Act. No. 6 of 1837) which extended the duration of the existing settlement of Orissa until the revision of assessment throughout the province.[4] Thus the question of a permanent settlement in Orissa was finally rejected and a long-term settlement for 30 years was enforced. The decision was an important step in the history of land revenue policy and administration of the British in Orissa. But the decision was rather too late as it had preceded with an unusual experiment of 33 years of short settlements from the days of British occupation of Orissa. The people had suffered much in those years of experiment and had eagerly waited for an early decision of the matter.

The settlement of Khurda which was completed earlier by William Wilkinson, the Collector of Puri, was reported on August 4, 1837 to the Government of Bengal for confirmation. The settlement was commenced and nearly finished before the new rules were promulgated. It was a raiyatwari settlement. Every cultivator's rent was fixed and the rents even of uncultivated lands was fixed in anticipation of their cultivation. Every cultivator received a 'patta' from the Collector. The 'sarbara-

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1 BRP No. 24 of July 6, 1837, Secretary to Government of India to Secretary to Government of Bengal, April 3, 1837.

2 *Ibid.*, No. 7 of March 28, 1837, Secretary to Government of Bengal to Commissioner of Cuttack, March 28, 1837.

3 *Ibid.*, No. 27 of July 6, 1837, Secretary to Government of Bengal to Secretary to Sadar Board of Revenue, April 18, 1837.

4 *Ibid.*, No. 33 of July 6, 1837, Secretary to Government of India to Secretary to Government of Bengal, May 1, 1837.

kars' were retained and recognised as the collectors of rents from the raiyats. They received their remuneration in shape of land and enjoyed a share of the rental approximating 20% on the collections. For the total area of 3,96,210 acres, the 'jama' was fixed at Rs. 1,35,720-4-1 pie. No less than 101,08 acres were held rent-free and there had been apparently no investigation into the validity or otherwise of the title. Besides the holders of rent-free tenures, there were 'Tunkeedars' who held their lands at a low rent. Their tenures were next to rent-free category and in their case too no regular investigation was made to ascertain the validity of their rights.[1]

The settlement of Taluk Panchgar in Puri was also reported for confirmation. It was settled in the same manner as that of Khurda.[2] The Government desired that the tenures of 'Tunkcedars' should be properly investigated. The settlement of Khurda was confirmed for a period of 20 years from 1835-36. With reference to the very low rates of assessment throughout the estate and the large quantity of uncultivated culturable land, the Government did not think it expedient to extend the term of settlement to 30 years. It was felt that a period of 20 years was a long time for any raiyatwari settlement. Of course, in case of the small estate of Panchgar, the settlement was confirmed for 30 years.[3]

PROGRESS OF THE SETTLEMENT, 1838-45

Under the able guidance of Henry Ricketts, the Commissioner, the settlement operations progressed rapidly. On August 18, 1838, he reported that the whole establishment was complete both in settlement and resumption departments.[4] On the investigation of rent-free tenures in the three districts, 19 Deputy Collectors were employed who also tried arrear resumption suits under the control of the special Deputy Collector. There

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[1] BRP, No. 50 of August 22, 1837, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, August 4, 1837.

[2] *Ibid.*, No. 63 of August 22, 1837, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, August 4, 1837.

[3] *Ibid.*, No. 66 of August 22, 1837, Secretary to Government of Bengal to Secretary to Sadar Board of Revenue, August 22, 1837.

[4] *Ibid.*, No. 69 of October 9, 1838, Commissioner of Cuttack to Secretary to Sadar Board of Revenue, August 18, 1838.

were 15 Deputy Collectors who worked both in the settlement and resumption departments under the supervision of 4 covenanted Deputy Collectors and three Collectors. The commissioner hoped that the work would be completed within six years. He apprehended that the big expense of the settlement proceedings might possibly lead to the reopening of the question whether the more summary mode of proceedings, which had been so successful in the North-Western Provinces, should be introduced in Orissa. In the North-Western Provinces, where the settlement was also being made under the regulation 9 of 1833, minute investigations were avoided in order to render the proceedings less expensive than in Orissa. In case of the latter, the rights and interests of every party connected with land were ascertained and recorded. Ricketts gave his opinion that "undefined, intricate and confused as those interests were, their adjustment was alone worth the outlay. The more experience in the Province I acquire, the more convinced I am that 'from aggregate to detail' system is impracticable here." To him, no greater blessing could be conferred on the people than the detailed settlement of their lands. Only one suit was instituted in the Civil Court to contest the decision of settlement officers, and hence it was a clear proof of the general correctness of the decisions of the settlement officers. The Government was satisfied that the revenue officers of the province had exerted themselves to the utmost of their abilities in the settlement operations, and there was no intention to change the method. The Government also noted with appreciation the work of the uncovenanted Deputy Collectors. They amply justified the confidence placed in them.[1]

A.J.M. Mills, the successor of Henry Ricketts, sent reports on the progress of the settlement of the province to the Sadar Board of Revenue for the season 1838-39. He had gained sufficient experience in the work as the Collector of Cuttack and therefore, like his predecessor, could exercise proper supervision over the work. He was fully satisfied not only with the quantity but also with the quality of the work performed during the year by all officers engaged in settlement

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[1] BRP, No. 80 of October 9, 1838, Secretary to Government of Bengal to Secretary to Sadar Board of Revenue, October 9, 1838.

and resumption operations. It appeared so him that "in no Province of India has the enforcement of the resumption laws been conducted with more leniency and in a more temperate manner than in Orissa." The appointment of a Special Commissioner for Orissa in 1839 was the final measure of the Government which could alone give completeness to the resumption operations.[1]

The settlement report of 1839-40 stated that the work was proceeding speedily in three districts of the province. There were 14 Deputy Collector in the district of Balasore for different periods during the year. They were appointed in the settlement work and were also trying resumption cases. There were 12 Deputy Collectors employed under the Collector of Cuttack, out of which 9 were engaged in the general settlement operations, one was engaged in the demarcation of boundaries, and the remaining two officers settled the resumed lands. In the district of Puri, there were 8 Deputy Collectors who were engaged in the settlement.[2]

Besides the above-noted officers placed under the orders of the Collectors, who conducted the investigation of rent-free tenures in course of settlement operations, there were some more Deputy Collectors under the control of the Special Deputy Collector for settling arrear resumption cases. That officer, at the commencement of the settlement operation, had 19 subordinates, but the rapid progress of resumption duties enabled the Commissioner to reduce the establishment, and some of the Deputy Collectors were transferred from the resumption to the settlement department. There were still 5 subordinates under the Special Deputy Collector in 1839-40.[3] Though the settlement and resumption operations were proceeding at full speed by the appointment of such a large number of Indian Deputy Collectors, yet the Government observed that the present rate of progress was slow and consequently expensive. It was absolutely necessary, the Government thought that the Commissioner should find out a quicker and

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1 BRP, No. 14 of January 16, 1840, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, November 20, 1839.

2 BRP, No. 50 of April 20, 1841, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, November 27, 1840.

3 *Ibid.*

cheaper mode of settlement.[1]

However, it was not possible to find out a quicker and cheaper method of settlement when it was necessary to go into every detail of land tenures. The Government wanted to hasten it as a matter of expediency but according to the settled policy, it was a matter of absolute necessity to investigate every thing in detail before the final assessment of revenue was fixed. The Board invited Mills to a conference in May 1841 where the process followed in conducting the settlement was scrutinised, and the several forms of settlement records were carefully examined. It was decided after much deliberation that no curtailment could be effected in the mode of trying resumption suits. It was also agreed upon that the 'aggregate to detail' system which was in use in the North-Western Provinces should not be introduced into Orissa. However, in regard to the settlement records, the preparation of which occupied so much time and labour, the Board, with the assistance and advice of the Commissioner, made considerable reform and curtailed much unnecessary details. In the operation report for 1840-41, it was found that the works was progressing more vigorously than before.[2]

In the district of Puri, there were 10 Deputy Collectors under the supervision of the Collector who performed resumption and settlement duties. The survey of the district was completed and the Comminioner was of opinion that the entire district might be settled and the settlement might be reported to the Government by the end of 1843 or at the latest by April 1844. In the district of Balasore, there were 11 Deputy Collectors engaged in various duties. The Commissioner hoped that the survey of the district could be finished during the next season and the settlement completed by April 1844. In the district of Cuttack, 12 Deputy Collectors worked in the settlement operations. Of course, their settlement duties were partly interrupted as they were engaged in local enquiries in connection with the devastations caused by drought and inundation. Still, the result of the season's labour, on the

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[1] BRP, No. 56 of April 20, 1841, Secretary to Government of Bengal to Secretary to Sadar Board of Revenue, April 6, 1841.

[2] *Ibid.*, No. 96 of December 14, 1841, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, September 22, 1841.

whole, was satisfactory. The Commissioner expected that the measurement and survey of the district could be completed in the approaching season and the settlement finished by April 1844 or end of the year.[1]

The Board believed that the labour, involved in the settlement of Orissa was 'unparallelled' with any part of India because of the large number of endowments and under-tenures. Mills calculated that estates bearing a 'jama' or 15 or 20 thousand rupees in the Bihar districts might be settled during the same period in which estates with a 'jama' of 5 thousand rupees only might be completed in Orissa. Though the process was a costlier one and took longer time, yet much benefit was expected from the work. In the opinion of the Board, "the operations will give us a professional survey and mapped record of the boundaries of Estates throughout the province, will determine once for ever all the innumerable rights and claims of the people." So, "the Board cannot think that looking at these incalculable results both as regards the stability of the Revenue, and the security of the rights of the landed proprietors, the time, labour, or the great expense bestowed on these operations, is subject of regret."[2]

The settlement operations continued vigorously. During the season of 1842-43, it was at its peak. Forty uncovenanted Deputy Collectors were employed in the province. Only two of them were employed exclusively on resumption duty and the rest on settlement duties. The survey of the province was completed in 1842. It was expected that the major part of the settlement work could be completed within a year. So the Commissioner recommended that the services of the special Deputy Collector might be dispensed with from January 1, 1844.[3] The former's report on the settlement operations in the province for the season 1843-44 stated that the work was drawing to a successful conclusion. Only some work in the resumption and settlement department were pending, and

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[1] BRP, No. 96 of December 14, 1841, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, September 22, 1841.

[2] *Ibid.*

[3] *Ibid.*, No. 7 of January 9, 1844, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, November 24, 1843.

some settled estates awaited confirmation of the Government.[1] The settlement was virtually over in 1845.

RESULTS OF THE SETTLEMENT

The results of the settlement proceedings were clearly pictured in the Minute of A.J.M. Mills, the Commissioner of Cuttack, on January 23, 1847.[2] The expenses incurred in the settlement operations were heavy. The accounts, calculated upto April 30, 1845, showed an expenditure of Rs. 20,36,348. Against such an expense, the net increase in the revenue of the three districts was only Rs. 34,979-8-10¾ pies. The former sadar 'jama' was Rs. 16,54,650-12-5 pies and the 'jama' after the settlement became Rs. 16,89,630-5-3¾ pies.

But, as Mills remarked, "this great work was undertaken with far higher views than to improve the exchequer". It was undertaken to ascertain the area of each estate and the valuation of lands in order to equalise the assessment which had been fixed before without any reference to the capabilities of the estates and had pressed hard on many of the poor zamindars. The purpose was also to fix the boundaries of estates, to decide all disputes relating to them on the spot, to settle all questions of rights and interests between land lords and tenants, and to try the validity of the numerous rent-free tenures. Mills confidently stated that all these objectives of the settlement had been fulfilled. Each estate had been measured and surveyed. The rent of each resident cultivator had been fixed and the rent-free claims in the three districts, which numbered 2,77,925,[3] had been judiciously investigated. The individual rights of 'mukaddams', 'sarbarkars', 'padhans', 'kharidadars', and such other tenure holders, which "numbered by thousands", had been separately ascertained and distinctly recorded. Mills concluded that "operations which have conferred such permanent blessings on the people, and will be so beneficial to Government, in a fiscal and judicial point of view, have not

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[1] BRP, No, 22 of March 42, 1845, Secretary to Sadar Board of Revenue to the Secretary of Government of Bengal, December 24, 1844.

[2] SRG, Bengal, 1847, XXIVB-No. 3, Minute of A.J.M. Mills, January 23, 1847.

[3] Cuttack-149449, Puri-46803, Balasore-81673.

been dearly purchased".[1]

Mills believed that a fair and moderate assessment had been made on the estates and that the proprietors were well satisfied with the terms on which they had been allowed to engage for their estates during the settlement of 1837-1845.[2] The proprietor's or zamindar's allowance, to cover 'malikana' risks and expenses of collection, was first limited to 30% of the mofussil 'jama' of the estates. Lord Auckland considered the matter liberally and on January 6, 1840, he ordered for the revision of the allowance to the zamindars. As a result of which the allowance was increased to 35% in all cases and even it could be increased to 40% in particular cases where the circumstances of the estate justified such an indulgence. But this new rule was not applied retrospectively to those estates which had been previously settled. The settlement also fixed the percentage of allowance for the under-tenures, such as, 'makkadams', 'sarbarakars' etc. The village staff such as, barber, watchman, blacksmith, washerman, etc. were established on the possession of their petty jagirs. In large estates, 'putwarries' or village accountants were remunerated by a grant of land, while in those of small estates, the zamindars and 'putwarris' were left to make their own arrangements, subject to the interference of the Collector only.[3]

The success of the settlement of 1837 was obvious from the small number of estates held 'khas' or directly by the Government and farmed out in consequence of the recusancy of the zamindars.[4] The success was seen in another field. A very small number of suits were lodged in the Civil Courts to contest the decisions of the settlement officers. There were only 90 such cases between 1836 and April 1844.[5]

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[1] SRG, Bengal, 1847 XXIVB-No, 3, Minute of A.J.M. Mills, January 23, 1847.

[2] It was known as the settlement of 1837 because it was confirmed for 30 years from that year.

[3] SRG, Bengal, 1847, XXIVB-No, 3, Minute of A.J.M. Mills, January 23, 1847.

[4] *Ibid.*

[5] BRP, No. 22 of March 12, 1845, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, December 24, 1844.

District	*No. of mahals on the Rent Roll*	*Mahals held khas in consequence of recusancy of proprietors.*	*Mahal farmed out in consequence of recusancy of proprietors*
Cuttack	2245	18	27
Puri	273	6	8
Balasore	922	6	10

Thus the settlement of 1837 conferred immense benefit on the Government, zamindars and raiyats. In the long run its social value was outstanding. That was realized when the agrarian condition of Orissa was compared with that of Bengal by the British officers at a later period. In the former case, the disputes over landed property were reduced to a minimum but in the latter, it was a source of constant trouble. To the officers, who decided disputes as regards the possession of land in a permanently settled village of Bengal, the first stumbling block was the absence of any admitted basis of enquiry. In Orissa, such a basis might always be found in the settlement papers.[1] Mills truly pointed out in his Minute that "the execution of this great work is, with all its imperfections, a blessing, and the extension of it to thirty years, the greatest blessing which Government has conferred on this Province."

THE PROBLEM OF SALE LAW

With the conclusion of the settlement of 1837 and its confirmation for 30 years, there were only a few problems in the administration of land revenue in Orissa till the end of the period under consideration. One such problem was the 'sale law' of estates for arrears of revenue. The question of its alteration was a much discussed subject amongst the revenue officers. It had already been noticed earlier that after the Paik Rebellion of 1817, Robert Ker, the first Commissioner of the province, pleaded for the enactment of the regulation 10 of 1818 to ensure greater regularity and punctuality in the collection of revenue and to preserve the remnant of the orig-

[1] Survey and Settlement Report, Vol. I, p. 167.

inal native land holders of Orissa in the possession of their estates. Under the above-noted regulation, a complicated system, known as the 'dustuk system' was adopted for the collection of revenue from the defaulters and sales of their estates were avoided as far as possible. Though the new sale laws were introduced by the regulation 11 of 1822 and Sale Act I of 1845 by the Government of Bengal yet no notice was taken of those new laws in Orissa and the 'dustuk system' continued.[1]

Mills in his minute on January 23, 1847, observed that the system was "far more suited to the existing state of things than periodical sales at fixed times of the years." Further in his opinion, "the zamindars are, as a body, poor and they prefer the system of dustuk, with its attendant expensive processes, from the conviction, that though they suffer in person and pocket thereby, it is the means of saving their estates from the hammer." But F. Gouldsbury, the successor of Mills, took a different view of the matter, and he recommended to the sadar Board of Revenue that the regulation 10 of 1818 should be repealed and quarterly sales might be introduced in the province. The Board agreed with the views of the Commissioner and wanted to introduce the fixed dates of payment which prevailed in Bengal. As the zamindars were long accustomed to be served with a demand notice, the proposed plan provided that a demand notice should be served on them two months before the last day of payment. The Board further proposed that April 8 and November 8 should be fixed as the latest date of payment of revenue, and if the proprietors failed to pay off their dues within the stipulated dates, their estates would be sold on 1st of May and 1st of December.[2]

The Government pointed out that almost the same law for the recovery of arrears of revenue was in force in the North-Western Provinces as that of Orissa. But in the former case, the Government received no complaint in the matter whereas the Board reported that the system was not working satisfactorily in the three districts of Orissa. The Board found out two reasons for the failure of the system in Orissa. First

[1] Survey and Settlement Report, Vol. II, p. 393.
[2] BRP, No. 4 of February 26, 1851, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, March 1, 1850.

that formerly without a detailed settlement of the estates, discretion of the Collectors was called for in the matter of collections of revenue and sale of the estates for arrears. But the situation was different after the settlement of 1837 and the Collectors were unwilling to exercise their discretion on the matter. However, the Government argued that as a detailed settlement for a long term of years had been made, it afforded a greater facility to the Collectors to work out the system in a better process than before. Secondly, the Board pointed out that formerly the officers for Orissa were selected men who understood the peculiarity of the land-systems in the province. But after the settlement of 1837, the officers were generally appointed in order of their seniority in service in the Bengal Presidency. The latter argument appeared to the Government as not very convincing. Because, the officers of the North-Western Provinces were also appointed on the same basis of seniority in service. But they did not complain regarding the collection of arrears from the land-owners. Therefore, the Board of Revenue of the Lower Provinces, was advised to communicate with the Board of Revenue of the North-Western Provinces at Agra and to ascertain how the evils were avoided there in the system of receiving the arrears of revenue. The Government was not prepared to authorise hastily for any fundamental change in the prevalent system in Orissa.[1]

In accordance with the desire of the Government, the Board of Revenue of the Lower Provinces called for informations from the North-Western Board about the system which prevailed in that province. On comparison it was seen that there was very little real analogy between the systems of collecting arrears of land revenue in Orissa and the North-Western Provinces. So the Board adhered to their views that the 'dustuk system' should be abolished and that periodical sales should be held for the realization of the revenue. Henry Ricketts, the former Commissioner of Orissa and the then member of the Board of Revenue, did not think that any change in the law was necessary for that purpose. But his colleagues were of opinion that the regulation 10 of 1818 must be altered, if not abrogated, and that it should be declared in

[1] BRP, No. 17 of February 26, 1851, Secretary to Government of Bengal to Secretary to Board of Revenue, February 21, 1851.

modification of Sale Act I of 1845 that the previous sanction of the Board would not be necessary for the sale of estates in Orissa.[1] The Governor-General Lord Dalhouise, in his capacity as the Governor of Bengal, recorded a minute on the subject on October 12, 1853. After due perusal of all documents on the matter, he was of the opinion that the system of 'dustuks' ought to be abolished and certain alterations in the law should be made to remove all doubts.[2] Finally, the Government of Bengal came to conclusion that under the existing settlement of the province, the system of collection of revenue by 'dustuks' was both 'useless and mischievous' and ought to be abolished.

It was decided that the Board should serve a notice to the proprietors of estates in the province that after a fixed date, the process of issuing 'dustuks' for the recovery of arrears of revenue should no longer be observed. It was also left to the Board to fix the number of sales in a year [3] Thus, after much controversy and discussion, the Board fixed two dates for the payment of revenue by the zamindars. The latest date of payment for 8 annas of the demand of all estates was April 28 and for 16 annas, it was November 8. The 'dustuk' system was abolished with effect from January 1, 1854.[4]

HENRY RICKETTS' REPORT, 1853

In 1853, Henry Ricketts, then the member of the Board of Revenue, visited Orissa and gave his report to the Government on the administration of the three districts of the province. As regards the administration of land revenue in the district of Cuttack, he drew the attention of the Government to the number of sale of the estates after the settlement of 1837. Between 1832-33 to 1841-42, the number of estates sold were 32 only. The sadar 'jama' of the estates amounted to Rs. 16,279 and the sale proceeds to Rs. 34,032. But between 1842-43 to 1851-52, the number of estates sold were 111, the

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1 *Ibid.*, No. 1 of October 27, 1853, Secretary to Board of Revenue to Secretary to Government of Bengal, December 9, 1851.

2 BRP, No. 5 of October 27, 1853, Minute of Lord Dalhousie, October 12, 1853.

3 *Ibid.*, No. 6 of October 27, 1853, Secretary to Government of Bengal to Secretary to Board of Revenue, October 24, 1853.

4 Survey and settlement Report, Vol. II, p. 393.

sadar 'jama' of the estates came up to Rs. 74,829 and the sale proceeds to Rs. 3,39,503. Ricketts was of the opinion that though the sale of estates had increased, there was no proof of their over-assessment. But he found the absence of sympathetic treatment to the zamindars in time of natural calamities from which Orissa suffered frequently. He observed that the sales during the last ten years were nearly 4 times the number of the preceding ten years and from 1832-33 to 1841-42, the estates were sold at little more than twice their sadar 'jama' while from 1842-43 to 1851-52, the estates were sold at nearly 4½ times their sadar 'jama'. The estates sold in the year 1853 fetched the amount even exceeding 6 times the sadar 'jama'. So Ricketts concluded that the settlement had doubled the value of the estates but as no remissions had been granted on account of seasonal calamities, sales had increased.[1]

He regretted that on the matter of remissions of revenue, much depended on the personal attitudes of the Collectors. As the necessary enquiries in time of calamities were not conducted, the people suffered much. Ricketts even believed that the very stability of the settlement was in danger on account of indifference towards calamities. Unless some consideration was made for granting remissions in time of crop failures the settlement would not be stable. He suggested that the zamindars might be expected to bear ordinary loss but when damages were extensive, "remissions should be granted commensurate with the injury sustained."[2] The Government thoroughly reviewed his report and came to believe that, on the whole, the circumstances stated by him were conclusive. It was pointed out that a clear rule had been laid down under which remission of revenue should be granted on account of loss by natural calamity when damages exceeded certain proportion of production from those lands. Though in a district like Cuttack, it was no doubt extremely difficult to obtain satisfactory proof of the extent of such loss, the Government felt confident that the local revenue authorities were bound to give their patient attention to all reasonable claims. They were required to recommend for remission on all instances where unusual loss had

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[1] Henry Ricketts, Report on the district of Cuttack, pp. 65-6.

[2] Ricketts, Report on the district of Cuttack, pp. 68-9.

been sustained and the crop was insufficient to meet the rent.[1]

In his report on the district of Balasore, Ricketts observed that the results of the settlement were almost the same as in Cuttack. The value of property, when brought to public sale, had trebled, and cultivation had spread in the district. But remissions commensurate with the losses had not been granted in time of calamities. On the whole, incidence of the settlement on the people was lighter in Balasore than Cuttack.[2]

In his report on the district of Puri, Ricketts showed that the number of 'mahals' sold both before and after the settlement of 1837 was small. Only 20 'mahals' were sold for arrears of revenue in 20 years. He found that the 'jama' imposed at the settlement of 1837 was, on the whole, moderate, and it was also proportionately assessed on the estates. He reminded the Government that the settlement of the large estate of Khurda would expire after three years in 1856.. It appeared desirable that arrangements should be made forth with for the renewal of settlement.[3]

The Government accepted his views and the measurement of the estate of Khurda commenced from February 1854 and it was concluded in February 1856. Additional 'jama' was imposed on the newly cultivated area and new 'pattas' were distributed. The old leases expired from September 30, 1856.[4]. G.F. Cockburn, the Commissioner, proposed that the settlement should be confirmed for a period of 24 years from the commencement of 1856-57 (1264 Aml iera). The Government accepted the recommendation of the Commissioner and the settlement was confirmed 24 years.[5]

THE PROBLEM OF THE REMISSION OF REVENUE

During the last year of the Company's rule, the question of

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1 BJP, No. 170 of April 20, 1854, Resolution of the Government of Bengal, February 11, 1854.

2 SRG, Bengal, 1853, No. XXX, Report on the district of Balasore, Henry Ricketts, 1853.

3 *Ibid.*, Bengal, 1853, No. XXX, Report on the district of Pury. Henry Ricketts, 1853.

4 BRP, No. 5 of November 12, 1857, Secretary to Board of Revenue to Secretary to Government of Bengal, October, 2, 1857.

5 *Ibid*, No. 12 of November 12, 1857, Secretary to Government of Bengal to Secretary to Board of Revenue, October 30, 1857.

remission of revenue on account of seasonal calamities was again raised. On November 11, 1857, the Secretary to the Board of Revenue pointed out to the Commissioner of Cuttack that certain principle had been adopted on which remission was to be granted to zamindars. The principle laid down was that "no remission is to be granted in any estate unless the loss exceeds 20% or 1/5th of the crop and that when the loss may exceed this proportion, the remission should be calculated only on the excess of loss above one fifth." If the 'jama' of a 'mahal' was Rs. 100 and one-half of 'the crop' was destroyed. remission would be Rs. 30 (Rs. 50—Rs. 20) only on the sadar 'jama' of that 'mahal'. The Board further clarified that by the term 'the crop', it was not meant the mofussil 'jama' of any particular crop but the whole gross assets of the estate or the 'mahal' concerned. So it was implied that where the total damage did not exceed 1/5 of the total assets, no remission was to be granted.[1]

In this connection the Board reminded the Commissioner that in fixing the sadar 'jama' of estates, certain allowance had been made to the proprietors for failure of crops, and consequently, Mills, the former Commissioner had pointed out in his minute on January 23, 1847, that "under the just liberal terms of the present settlement the zamindars may fairly be expected to bear ordinary losses." So the Board were of opinion that the principle of considering the total income of the zamindar from the estate before remissions were granted was a 'just and equitable' one. The zamindar was expected to grant remissions to his raiyats when they were allowed to him by the Government. He was also expected to do so at other times when circumstances rendered it necessary even though no remission might have been granted to him.[2]

However, G.F. Cockburn, the Commissioner, was not convinced with the views of the Board. The point at issue then became whether the remission should be calculated on the 'jama' of one crop only which had formed the subject of enquiry or whether the general assets of the whole estate were

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[1] CRR, Acc. No. 479, Secretary to Board of Revenue to Commissioner of Cuttack, November 11, 1857, No. 141.

[2] *Ibid.*

also to be taken into consideration. Cockburn did not believe that the word 'crop' was applicable to the mofussil 'jama' of the whole estate. It seemed most reasonable to him that in dealing with a heavy calamity of season in the temporarily settled province like Orissa, 'the injured cróp' only should be taken into consideration. He also argued that as the enquiries were limited to 'Sarad,'[1] the remission should be calculated with reference to that crop only. He insisted that the Government should make special consideration on some cases in which strict application of the principle was not desirable. Also, "remissions should be granted commensurate with the injury sustained." Finally, he summed up : "In my opinion remissions should not be too easily granted, and individual cases should not be regarded, but when an extensive and severe loss of sarud has been sustained detailed enquiries should be made with a view to the grant of remissions of the excess beyond 20% of that crop and subject to the condition that corresponding remissions will be given to the suffering ryats..."[2] But the Board did not accept the views of the Commissioner, and consequently, remissions were calculated on the loss above 20% of the whole assets of the estates.[3]

On the whole, the land revenue administration of the East India Company in Orissa was not an unmixed blessing to the people. For an unusually long period of 33 years the British administrators did not follow a settled policy. Their experiments of short settlements with enhancement of the revenue without proper assessment of the capabilities of land brought about not only untold sufferings to the cultivators of the soil but also considerable disappointment to the proprietors of land. In 1837 the hardships of zamindars were removed by a long-term settlement of 30 years. The tenants also heaved a sigh of relief by the grant of 'pattas' which secured their rights and fixed the demands on their holdings. However, in a

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[1] Winter rice shown in June-August and reaped in November-January. It is the main crop of the province.

[2] CRR, Acc. No. 479, Commissioner of Cuttack to Secretary to Board of Revenue, December 9, 1857, No. 477½.

[3] *Ibid.*, Acc. No. 347, Secretary to Government of Bengal to Secretary to Board of Revenue, July 3, 1858, No. 1503.

province like Orissa which depended on the mercy of monsoons for its main agricultural products, frequent failure of crops occurred in some parts of it due to drought and flood. But as the Government did not follow a liberal policy of granting remissions of revenue on account of natural calamities, the people generally suffered much. No change of such a policy was envisaged by the end of the East India Company's rule in 1858.

3 Judicial and Police Administration

PRE-BRITISH MARATHA SYSTEM

The judicial and police administration of Orissa during the Maratha regime was vested in the hands of a set of officers known as the 'amils'. They were controlled by the Subahdar of the province. The Maratha Government gave but little attention either to police or to civil justice. The 'amils' who exercised almost an unlimited authority in all minor affairs of civil or criminal justice, were occupied principally with revenue matters. Trifling disputes were settled by the village Panchayats and the more important cases by the respectable people of the neighbouring villages chosen by the 'amil'. Only the most serious cases were usually determined by the Subahdar or at least in such matters his confirmation of the order of an 'amil' was deemed necessary. But such orders or awards of 'amils' or arbitrators were seldom committed to writing, and the British authorities believed that they were not very regularly enforced. Because, only a few of those original awards were produced in the British Courts of justice. The proceedings of both the civil and criminal courts were simple and summary, no written depositions were taken and a very simple form of trial was observed. Of course, the British authorities admitted that in the days of the Marathas 'heinous offences were exceedingly rare'.[1]

A.
ADMINISTRATION OF POLICE AND CRIMINAL JUSTICE, 1803-58
INTRODUCTION OF THE CORNWALLIS SYSTEM

The Maratha system was kept intact by the British Commis-

[1] BJ(Cr)P, No. 37 of April 28, 1818, Ewer to Government, February 27, 1818. Also, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

sioners for a brief period following their occupation of Orissa. They merely transferred from the 'amils' to themselves the power of general superintendence and the cognizance of crimes. By the regulation 4 of 1804 some of the criminal laws and rules of Bengal were extended to Orissa excluding the Tributary Mahals. The superintendence of the police was vested in the Magistrates under the general control of the Board of Commissioners at Cuttack. The province of Orissa, or Cuttack as it was termed, was included in Calcutta circuit and was divided into two Divisions with the river Mahanadi as the line of demarcation. In each Division, a magistrate was appointed with the same powers as vested in the magistrates of Bengal. All existing regulations of Bengal regarding police were extended to Cuttack. The court of circuit was guided in its proceedings by the regulations of criminal justice enforced in Bengal. The regulation 4 of 1804 further directed the magistrates and the court of circuit not to take cognizance of crimes committed previous to October 14, 1803, the date of the British occupation of Orissa.

The preliminary arrangement made by the regulation 4 of 1804 for the administration of criminal justice and police continued till September 1805, when under a new regulation the Cornwallis system, as prevailed in Bengal, was fully introduced into Orissa. The two Divisions, created by the regulation 4 of 1804, were amalgamated into one and it was placed under a judge-cum-magistrate. The Board of Commissioners was abolished. It made provisions for the establishment of thanas or police stations and appointment of darogahs or native officers in charge of police stations. The regulation, however, wanted to preserve the old system of the Maratha days under which the 'paiks' were granted lands for performing certain police duties under the Zamindars. The darogahs were required to form a register of all such 'paiks' who were bound to conform to legal orders of the authorities and were liable to forfeit their lands for disobedience or misconduct. All land holders or zamindars were ordered to render every possible assistance to the police. The Court of Sadar Nizamat Adalat acted as the highest court of appeal for the dispensation of criminal justice and it supervised the police administration

under the guidance of the Governor-General in Council.[1]

In 1806, according to the above-noted regulation (the regulation 13 of 1805) the Government established 16 police thanas in Orissa. The standard scale of establishment for each thana included one darogah on sicca Rs. 25 per month, one 'muharrir' on sicca Rs. 10 per month, one jamadar on sicca Rs. 8 per month and ten 'barkandazes' on sicca Rs. 4 each per month. Thus the total amount was Rs. 83 only for each thana. The darogah of Balasore got Rs. 30 and the darogah of Cuttack Rs. 40. The total establishment thus sanctioned for the entire province was only sicca Rs. 1448.[2] Subsequently two more thanas were established and by 1821, there were 18 police stations in the province. They were : Basta, Balasore, Mutto, Soro, Bhadrak, Jajpur, Arakpur, Cuttack, Patamundai, Pipili, Puri, Khurda, Banpur, Gope, Hariharpur, Assuraswar, Paharajpur, Tiran.*

William Blunt, the then Commissioner in Cuttack, calculated the area of Orissa, excluding the Tributary Mahals or Garjats, as 6,400 square miles within which tract of land there were 18 police jurisdictions. In an average, therefore, each thana got an area of less than 400 square miles. The Cornwallis system (the regulation 22 of 1793) had prescribed the maximum area of 400 square miles for the police thanas of Bengal. That limit was strictly adhered to in case of Orissa. These police thanas, as Blunt found out, controlled a total of 11,057 villages. On an average, each thana contained 614 villages.[3]

JUDICIAL RESPONSIBILITIES OF LANDHOLDERS

In 1810, the Government passed a regulation (the regulation 6 of 1810) which defined the penalties to be meted out to zamindars and landholders for neglecting their duties in giving timely and necessary information regarding robberies. If any landholder gave shelter to robbers, the regulation prescribed

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1 BJ(C)P, No. 33 of September 5, 1805, Regulation 13 of 1805.

2 BJ(Cr)P, Nos. 14 and 15 of March 27, 1806, Register of Nizamat Adalat to Secretary to Government, March 15, 1806.

* According to the number of villages, the largest thana was Bhadrak (1248 villages) and the smallest thana was Cuttack (319 villages).

3 BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

severe punishment for him. All zamindars, talukdars and other proprietors of lands and all native officers employed in the collection of revenues were declared especially accountable for the early and punctual information to the Magistrates and police darogahs about robbers within the limits of their estates. If they neglected to give such information, the Magistrate could sentence the offender to 6 months' imprisonment and a fine of Rs. 200. If any zamindar or proprietor of land actually afforded any assistance to a dacoit or if he received any present either in money or goods from the dacoit, the Magistrate was empowered, in addition to the above mentioned punishment, to adjudge the forfeiture of his estate to the Government.[1]

The control of the police was vested in the hands of the Magistrate. But the regulation 13 of 1805 provided only one Magistrate for the whole of Orissa. It was almost impossible for a single Magistrate to control the police and to dispense with the criminal justice over such a vast area. Consequently, from 1813 a Joint-Magistrate was stationed at Puri to remain in charge of the thanas of Pipli, Gope, Hariharpur and Tiran. From 1815, there was a Joint-Magistrate at Balasore in charge of the thanas of Balasore, Basta and Soro.[2]

SUPERINTENDENT OF POLICE

In 1808 the Government of Bengal decided to create a new office for the better supervision of the police establishments and to ensure greater safety of the people. The immediate objective was to entrust the new officer with the work of collecting information regarding crimes like gang robbery and dacoity from different parts of the country. With the help of those informations, the Government wanted to devise successful plans of operations. Such operations were considered necessary on account of the failure of local police to cope with bigger crimes. With such intentions, the office of the Superintendent of Police for the provinces of Bengal and Orissa, or more exactly for the divisions of Calcutta, Dacca and Murshidabad which comprised the said area, was constituted on

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[1] BJ(Cr)P, No. 66 of February 9, 1810, Regulation 6 of 1810.

[2] *Ibid.* No. 10 of January 12, 1815, Judge and Magistrate of Cuttack to Chief Secretary to Government, November 21, 1814.

November 28, 1808 by the regulation 10 of that year.[1]

The Superintendent of Police was authorised to correspond, either openly or secretly with officers of the Government in other departments on subjects connected with the discharge of his duty. He was to remain under the general authority of the court of the Nizamat Adalat in all matters concerning the police.[2] The duties of the Superintendent of Police were further defined by the regulation 17 of 1816. The several Zillah and city Magistrates were required to furnish the Superintendent of Police with information regarding the police and jail establishments of their respective jurisdictions. The Superintendent was empowered to bring about a complete and accurate revision of the police and jail establishments in the light of those informations and in consultation with the local officers. He was further declared competent, in the same manner and to the same extent, as the local Magistrates, to impose fines on any police darogah or other subordinate officer. He was given the power to suspend from office, after enquiry, any darogah or other subordinate officer for misconduct, negligence of duty, for failure to furnish information to his superior, or for not obeying orders issued to him.[3]

REVIEW OF THE EARLY BRITISH SYSTEM

Though the office of the Superintendent of Police was created as early as 1808, yet previous to the Paik Rebellion in 1817 no Superintendent of Police visited Orissa. Naturally Orissa did not enjoy the benefits of proper supervision and control of police affairs. Besides the Superintendent of Police, other authorities who were expected to supervise the administration of criminal justice and police affairs in Orissa were the Judges of the Court of Circuit. But the Judges of Circuit paid only short visits to Orissa and there were long intervals between their sessions. Consequently they could not find opportunities to go into the details of police and judicial administration. As

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1 J.H. Harrington, *An Analysis of the Laws and Regulations*, Vol. I, p. 545.

2 *Ibid.*, p. 546.

3 *Ibid.*, pp. 548-49.

a result, the Magistrate and the police darogahs found themselves in sole charge of the criminal justice and police affairs in Orissa.[1]

In the early years of British administration, there was a single Magistrate for Orissa. He had jurisdiction over 18 police thanas which consisted of 11,057 villages comprising an area of about 6,400 square miles. Naturally he was unable to exercise proper control over such a vast area. As he could not discharge his duties in respect to the administration of criminal justice and police efficiently and failed to keep proper vigilance over the thana darogahs, the latter took advantage of the situation. All real powers of police centred in the person of those thana darogahs who had jurisdiction over a large number of villages. Far out of the control of their superior officer they got opportunity and courage to get corrupt and their oppression brought havoc to the people. The Khurda rebellion which broke out only 14 years after the British occupation of Orissa clearly revealed the failure of the British police and judicial administration.

William Trower, the Collector of Cuttack, in his report to the Board of Revenue on May 23, 1817 expressed his views thus : "I believe I am the first and only officer of the Government that has hitherto visited the interior of the District. I have travelled through the greatest part of it, conversed with all classes of the people from the highest to the lowest and certainly the complaints against the Police...exceed anything I could have supposed." "A regular system of oppression and speculation," he continued "appears to exist throughout and instead of proving a protection to the country and a preventive against improper conduct, these people are considered the terror and the scourge of the district, and by their example lead the way to everything that is inequitious."[2] Convinced of the illegal and corrupt practices of the police darogahs, he established his point by referring to their material condition. "We all know what the salary of a police Darogah is and we

[1] BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

[2] Orissa Records, Vol. II, W. Trower, Collector of Cuttack to J.P. Ward, Acting Secretary to the Board of Revenue, May 23, 1817.

also know generally speaking from what class of natives they are selected and it is therefore impossible (at least in my mind) to account for the sudden rise of these people to riches and consequence, unless by giving credit to their unwarrantable exactions." By way of an example Trower referred to the case of Mirza Mehndi, the police darogah of Khurda. He himself told Trower that during the rebellion in 1817 he had lost property to the value of 40,000 to 50,000 rupees. It was obvious that such a large amount was earned by illegal means.[1]

Walter Ewer, who came to enquire into the causes of the rebellion of 1817, also gave a dismal picture of the administration of criminal justice and police. He discovered a number of instances where it was evident that the police darogahs and native officers of judicial department amassed wealth by illegal practices. Certain examples of those corrupt officers were brought to light. In the case of Salim Ali, who came to Balasore in time of its occupation in the capacity of a 'munshi' to Captain Morgan, the latter placed him in a high office in the salt department. In the following year, he was removed from his office by Robert Ker, the Collector-cum-Magistrate at Balasore, and was also prosecuted in the civil court for 'embezzling money, smuggling salt, and selling an appointment.' But as the prosecution was conducted in 'a careless manner', nothing was proved. However, he was removed from his office by James King, the Salt Agent, in 1807. From that time until 1814, he was known as a purchaser of extensive lands in the name of his nephew, Bujlul Hussein. He was also a merchant and appeared as a defendant in criminal cases of various descriptions. On July 6, 1814, Edward Impey, the Judge and Magistrate of Cuttack, appointed him to the office of Faujdari Sherishtadar in which he continued till October 1816. During that period, he amassed much wealth and was finally removed from office for his corrupt practices. In February 1818 when Walter Ewer was the Acting Magistrate of Cuttack, Salim Ali held lands, the annual sadar 'jama' of which amounted to sicca Rs. 26,164, in his nephew's name. But he was in confinement under charges of extortion to an enormous extent, exceeding a lakh of rupees.[2]

[1] *Ibid.*
[2] BJ(C)P, No. 1 of March 3, 1818, Ewer to Government, February 17, 1818.

In case of the family of Saheb Zeman, ex-darogah of Cuttack which consisted of his brothers Ali Zeman, formerly faujdari sherishtadar and Hydar Ali, ex-darogah of Pipli, and their nephews Mukram Hussein, ex-faujdari sherishtadar, and Tufil Ali, ex-faujdari maharrir, Saheb Zeman, according to his own account, came to Cuttack in search of a livelihood about 14 years ago. He held the office of darogah of police at several thanas in Orissa for nine years. Ali Zeman was at first a record keeper, then became a faujdari sherishtadar in 1810, and in 1812 he held that office in both civil and criminal courts. He continued in office till Impey became the Judge and Magistrate of Cuttack in 1814. He dismissed Ali Zeman from his office for corruption, but reappointed him after two years. However before he took charge of the office, he was dismissed by the suggestion of the Court of Circuit which found him guilty of corruption as the sherishtadar of the Court of 24-Parganas in Bengal where he served after his dismissal from Cuttack. But that was no loss to his family. Because he was succeeded by his nephew Mukram Hussein, a youngman without much experience, who previously held the office of darogah of the thanas of Mutto and Soro. Saheb Zeman and Ali Zeman earned enough by illegal means. They were engaged in trade and bought and sold several estates in the Mughalbandi. Saheb Zeman admitted these facts before Walter Ewer. In his own words, "I cannot produce all the papers connected with our concerns, but beg leave to submit a number of redeemed bonds to the amount of Rs. 43,144." Other members of the family were holders of valuable estates.[1] Thus a family thrived by corrupt and illegal practices in the police and judicial departments.

Ewer also referred to the notorious darogah of Khurda, Mirza Mehndi, who held office in 1817. His illegal practices were varied and much torturous. It is interesting to note that when a burglary was committed on any house, the master of that house had to pay three rupees to the darogah. Anybody whom the darogah did not like was fined two rupees.[2]

[1] BJ(C)P, No. 1 of March 3, 1818, Ewer to Government, February 17, 1818.

[2] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

Ewer expressed surprise that in such a state of affairs, when the people complained against the native officers, their complaints were almost ignored by superior authorities. So it created an impression in the minds of the people that the darogahs and 'amlas' were under the direct protection of the Government. The consequences were "the total destruction of that confidence in the justice of our laws and the impartiality of our courts which the natives were beginning to feel and they have, for some years past, looked on the Regulations and the adawlat, not as the sources of redress for the injured and of punishment for the oppressor, but as the means of introducing into Cuttack a herd of needy and rapacious strangers, and of enabling them to make rapid and large fortunes, and acquire possession of great portion of the District.[1]

To Ewer, one cause explained for such exploitation of the natives by the police darogahs and 'amlas' of the judicial courts. The natives of Orissa were almost ignorant of the rules and practices of the adalats because they did not understand the British laws and regulations. The regulations were translated into Bengali, Persian and Hindustani but not into Oriya, and the former languages were understood by a very small section of the population. The British administrators did not realize that it was their duty to make their laws and regulations "as public as possible, and in the manner most intelligible to those whom they are to guide and control." As this principle was utterly neglected in Orissa, the people had no chance of being acquainted with the British systems.[2] Ewer also regretted for the permission which the Government had accorded to the Judges of circuit to hold the sessions only once a year instead of holding it twice.[3] Due to this infrequency of the session court, it also failed to familiarise the people of Orissa with the British system.

Thus the ignorance of the people was exploited by the police darogahs and 'amlas'. In the words of the Court of Directors, "the judicial system in Cuttack was by no means adopted

[1] BJ(C)P, No. 1 of March 3, 1818, Ewer to Government, February 17, 1818.

[2] BJ(Cr)P, No. 37 of April 28, 1818, Ewer to Government, February 27, 1818.

[3] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

either to promote the efficient administration of justice among the people of that province in their mutual dealings with each other, or to protect them from the frauds and exaction of the Amlah, which the Regulations themselves had introduced, and that it thus acted not only to the withdrawing of right but to the fruitful production of wrong."[1]

OFFICE OF THE COMMISSIONER

To remove the abuses connected with the administration which the enquiry into the causes of Paik Rebellion in 1817 revealed, the Government passed a regulation in 1818 by which a new office of 'Commissioner in Cuttack' was established.[2] He was vested with all the powers and functions of the Court of circuit for the province. Of course, the regulation did not affect or alter the powers vested in the Court of Nizamat Adalat regarding the administration of criminal justice. The 'Commissioner in Cuttack' stood in the same relation to the Court of Nizamat Adalat as the judges of the Court of circuit for the division of Calcutta, either in their individual or in their collective capacity.[3]

Robert Ker, the first Commissioner, worked only for a short period. His main object was to make the people respect and understand the laws by which they were governed, and to teach them to look to the courts of justice for protection and redress of their grievances. He wanted to impress them with a full sense of the value of a judicial decision. He, therefore, held the sessions in quick succession. His untimely death in 1819 deprived Orissa of the careful and sympathetic supervision of a sagacious officer in those initial but troublesome days of the British administration.[4]

EDWARD IMPEY'S CASE

It is interesting to note that in those early years of the British administration in Orissa not only the native police darogahs were corrupt and oppressive, but also serious alle-

[1] Letters from the Court, Judicial Department, Vol. 8, Court of Directors to Governor-General in Council, July 19, 1820.

[2] BJ(Cr)P, No. 44 of April 28, 1818, Regulation 5 of 1818.

[3] *Ibid.*

[4] BRP, No. 25 of May 19, 1820, Stirling to Blunt, February 29, 1820.

gations could be brought against a British Judge and Magistrate in the person of Edward Impey. He was serving at Cuttack in that capacity from 1814 and was suspended in 1819. He was finally dismissed from service in 1822. A special enquiry was ordered against him for the following charges.[1] He nominated Ali Zeman as sherishtadar of the Faujdari Court of Cuttack who purchased Impey's property, a house, at an over-rated value of Rs. 20,000 and he received Rs. 8,000 at different times as advance payment. A heavy amount of Rs. 24,000 was demanded and received by Salim Ali, sherishtadar of the Faujdari Court of Cuttack, in the name of and for the use of Impey, with his knowledge and assent, from the Raja of Dhenkanal or from his agents for some official favour. It was also alleged that he received Rs. 3,000 from the Raja of Kanika, Rs. 3,000 from the Raja of Ali, Rs. 1,000 from the Raja of Tigirea, Rs. 1,500 from the Raja of Barambah and Rs. 9,000 from the Raja of Angul to grant them official favours. These illegal collections formed the large remittances made by him to Calcutta, an amount far exceeding that which the authorized emoluments of his office would have enabled him to remit.[2]

Impey refused to attend the Commission appointed by the Government to enquire into the allegations. The Commission constituted of Sealy, a Judge of the Provincial Court for the division of Calcutta and Thomas Pakenham, the Collector of Cuttack. When the Commission was conducting the enquiry, Impey proceeded to England without the permission of the Government. So the Governor-General in Council recommended to the Court of Directors for his final dismissal from service.[3] Also the Commission found him guilty of several charges and passed unfavourable observations on his conduct for which he was to be removed from the civil service.[4]

The Court of Directors were convinced that during the time Impey held the office of Judge and Magistrate and Superin-

[1] Letters to the Court, Judicial Department, Governor-General in Council to Court of Directors, March 17, 1820.

[2] *Ibid.*

[3] Letters to the Court, Judicial Department, Governor-General in Council to Court of Directors, March 17, 1820.

[4] *Ibid.*, December 29, 1820.

tendent of the Tributary Mahals in Orissa, a system of bribery and corruption was carried on by the officers highest in his confidence and principally employed under him in the administration of justice. It also appeared to them that the system of bribery and corruption, which was so generally diffused and so openly practised by the subordinate officers, that Impey's ignorance of the matter was not consistent with the exercise of ordinary vigilance on the part of their superior. So, without any hesitation Impey was disqualified from holding any situation under the Government of India and he was dismissed from the Company's service.[1]

REORGANIZATION OF JUDICIAL OFFICES AND CRIMINAL COURTS

In 1821 a regulation was passed which authorized the Collectors of land revenue and other officers employed in the management or superintendence of any branch of the territorial revenues to exercise, in certain cases, the whole or any portion of the powers then exercised by a Magistrate or a Joint-Magistrate. So also the Magistrates and Joint-Magistrates were authorized to exercise the powers of the Collector of land revenue. The Government passed such a regulation in order to vest the revenue and judicial powers in a single officer for sake of convenience.[2] This regulation led to the reorganization of certain judicial offices in Orissa. By an order of the Government dated May 12, 1821, the Joint-Magistracy at Puri was abolished and the sadar thana of Puri was transferred to the jurisdiction of the Joint-Magistrate of Khurdah and the remaining thanas of Gope, Tiran and Hariharpur were transferred to the jurisdiction of the Magistrate at Cuttack. The Joint-Magistrate at Balasore remained in charge of the thanas of Balasore, Basta and Soro.[3] These three distinct police jurisdictions took a permanent shape in 1828 when the Governor-General in Council resolved to divide the province into three separate divisions or districts. In the northern division

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1 *Ibid.*, Court of Directors to Governor-General in Council, December 18, 1822.

2 BJ(C)P, No. 26 of January 19, 1821, Regulation 4 of 1821.

3 BJ(Cr)P, No. 120 of December 28, 1821, Superintendent of Police to Chief Secretary to Government, August 1, 1821.

or Balasore district, the Collector exercised the powers of Magistrate. In the central division or Cuttack district, the Civil Judge was vested with the powers of magistracy. In the southern division or Puri district, as in Balasore, the magistracy was vested in hands of the Collector of land revenue.[1] The Balasore district was divided into 6 thanas, each thana having an area of about 329 square miles on average. The Puri district was also divided into 6 thanas, each with an average area of 349 square miles. The Cuttack district was divided into 9 thanas each with an average area of 340 square miles.[2]

In 1828 it was proposed to appoint several divisional Commissioners of Revenue in the Bengal Presidency and it was also desired to combine with each such Commissioner the duties and powers of a Judge of circuit. Accordingly, the Courts of circuit were abolished and the Commissioners of Revenue appointed under the regulation 1 of 1829 were authorised to exercise the powers of circuit Judges. Those officers were known as the Commissioners of Revenue and Circuit. It may be mentioned here that the Presidency of Bengal was divided into 20 divisions and in each of the division there was a divisional Commissioner of Revenue and Circuit. The three districts of Orissa formed the 19th division of the Presidency.

The Commissioner of Cuttack was exercising the powers of the Court of circuit from 1818, and so, the new regulation did not enhance his powers in that respect. However, the regulation empowered the Commissioners of Revenue and Circuit to act as the Superintendent of Police in their respective divisions, and therefore, the Commissioner of Cuttack became the Superintendent of Police in his division.[3]

In 1831 further change was introduced in the judicial system. In order to afford relief to the Commissioner of Revenue and

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[1] BJ(C)P, No. 1 of November 27, 1828, Extract from Proceeding of Governor-General in Council, October 23, 1828.

[2] BJP, No. 173 of April 20, 1854, Report of Henry Ricketts, December 8, 1853 Also, SRG, Bengal, 1853, No. XXX, Report on the Districts of Puri and Balasore, Henry Ricketts, 1853.

[3] Letters from the Court, Judicial Departments, Vol. 9, Court of Directors to Governor-General in Council, January 26, 1831' No. 2.

Circuit, and to enable him to concentrate on revenue affairs, the regulation 7 of 1831 established the office of a Sessions Judge in each division of the Presidency. The Sessions Judge was empowered to try every case that might be brought by the Magistrates of their respective jurisdictions. The regulation declared that the Sessions Judge would possess all the powers enjoyed by the Commissioner of Circuit as regards the examination of witnesses and the passing of sentences of acquittal and conviction. But they were not empowered to exercise any authority over the Magistrates or to interfere in matters of police. As regards the dispensation of criminal justice, the Sessions Judge remained under the Nizamat Adalat and was required to furnish the Nizamat Adalat with statements of conviction and acquittals which were previously sent by the Commissioner of Circuit. The reports on jail and police were to be furnished as usual by the Commissioner. Also, appeals from the Magistrates were to be made to the Commissioner only.[1]

The above-noted regulation was enforced soon in Orissa. The office of the Judge-cum-Magistrate in the central division or Cuttack district was bifurcated. The magistracy was vested in the Collector of Cuttack and the Civil Judge became the Sessions Judge for Orissa. The new arrangement came into force with effect from March 1, 1832.[2] Towards the end of 1841 the Court of Nizamat Adalat proposed that the whole of the criminal jurisdiction vested in the hands of the Commissioner at Cuttack might be transferred to the Sessions Judge of that division. The Court further desired that the sessions for Balasore might be held twice a year and the Sessions Judge should proceed to that station for the said purpose instead of making the parties and others to come to Cuttack. The business in the Court of the Sessions Judge was considered to be light and therefore the new measure was not likely to cause any difficulty.[3] The Government of Bengal agreed with the proposal and resolved that the whole of the duties connected with

[1] BJ(C)P, No. 25 of November 8, 1831, Regulation 7 of 1831.

[2] BJ(Cr)P, No. 26 of January 17, 1832, Government to Commissioner at Cuttack, January 17, 1832.

[3] BJP, No. 15 of January 11, 1842, Register of Nizamat Adalat to Government of Bengal, December 29, 1841.

criminal justice should be transferred from the Commissioner of the division to the Sessions Judge.[1]

In course of time, the number of Courts of criminal justice in the province increased and consequently the work of the Sessions Judge also became exceedingly heavy. Towards the end of 1853, he had to conduct the sessions duties in the three districts and at the same time he was required to dispose of the appeals from as many as eleven officers in the province. In the district of Balasore, there were three courts of criminal justice such as the courts of the Magistrate, and the Joint Magistrate at Balasore and of the Deputy Magistrate at Bhadrak. In the district of Puri, there were also three criminal courts such as the courts of the Magistrate and the Assistant Magistrate at Puri and that of the Deputy Magistrate at Khurda. In the district of Cuttack, there were five criminal courts such as the courts of the Magistrate, the Joint Magistrate, the Deputy Magistrate, the Law Officer and the Executive Officer of Works Department.[2] However, the Government made no immediate provision to relieve the Sessions Judge at Cuttack of his heavy burdens.

PROVISION FOR BETTER SALARY OF POLICE DAROGAHS

In 1843 the Government realized the inadequacy of the pay of a police darogah in view of the services required of him and the power vested in his person. Not only his actual pay was inadequate, but also he had no prospect of any promotion for meritorious service. Therefore, there was almost universal corruption in the ranks of those officers.[3] To effect a partial amendment of the mistake and to give the darogahs some incentive to work better, a gradual increase of salary on the grounds of merit and service was suggested. In some cases it was proposed to increase the monthly salary from Rs. 25 to Rs. 50, in other cases from Rs. 50 to Rs. 75 and finally, in case of very competent officers, from Rs. 75 to Rs. 100.[4] The

[1] *Ibid.*, No. 16 of January 11, 1842, Resolution of Government of Bengal, January 11, 1842.

[2] *Ibid.*, No. 172 of April 20, 1854, Extract from Report of Henry Ricketts, December 8, 1853.

[3] BJP, No. 2 of June 19, 1843, Secretary to Government of Bengal to Secretary to Government of India, May 17, 1843.

[4] *Ibid.*

Supreme Government concurred with the recommendations of the Bengal Government and authorized for its immediate implementation.[1] But even after this improved scale of pay, conditions did not improve. Ten years later, in 1853, Ricketts in his report on the district of Cuttack pointed out that the darogahs in Orissa still continued to be dishonest, though of course they were more honest than officers of the same grade in Bengal. This was because, as he stated, there was less inclination on part of the people of Orissa to pay bribes to the police. The then Magistrate of Cuttack agreed with the views of Ricketts.[2]

ACCOUNTS OF CRIMES IN ORISSA

According to the reports of several British officers, 'heinous crimes' were rare in Orissa. In 1810, the Judge of circuit observed that the serious crimes of dacoity and highway robbery were hardly known in Cuttack. The number of murders was very small.[3] At the end of the sessions of 1813, the Judge reported to the Governor-General in Council that Cuttack was free from the crime of dacoity. The prevalent offences were small scale burglary and theft. In the statement of crimes of heinous nature, it was shown that in the year 1813 there were only 6 trials for murder, and no single case of dacoity or highway robbery.[4] William Blunt, the Commissioner, in his report to the Government in 1821 doubted the truth of the fact. He was of opinion that the police officers commonly reported only those offences in which they were successful in apprehending the offenders. It was scarcely credible that in the town of Cuttack which contained a population of about 40,000 with 5700 habitations, not a single burglary should have occurred during the years 1813, 1814 and 1815 and that only one offence of that description took place in 1816.[5] However, he did not deny the fact that a real dacoity had not occurred in Cuttack since the

[1] BJP, No. 3 of June 19, 1843, Secretary to Government of India to Secretary to Government of Bengal, May 31, 1843.

[2] *Ibid.*, No. 173 of April 20, 1854, Extract from Report of Henry Ricketts, December 8, 1853.

[3] BJ(Cr)P, No. 32, of May 14, 1811, Judge of Circuit to Government, April 20, 1811.

[4] *Ibid.*, No. 46 of February 12, 1814, Judge of Circuit to Government, February 3, 1814.

[5] *Ibid.*, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

British took over. Highway robbery was also an offence which scarcely ever occurred within the Mughalbandi. Cases of murder were of rare occurrence. The offences most prevalent in Orissa were burglaries and thefts, especially stealing of rice or paddy. Such offence had its source in the extreme poverty of the offenders who, when apprehended, frequently pleaded that they were driven by absolute want to commit the offences. Burglary was also less prevalent in Orissa than in other parts of British provinces because of general poverty of the people which presented a few temptations to burglars.[1] The correctness of Blunt's views was evident from the subsequent statistics of crimes in Orissa. In the last 6 months of 1827, there were only one murder, one dacoity, three culpable homicides and twenty thefts of above Rs. 50 in the whole province.[2]

After 1832, the number of burglaries and thefts increased, and it was attributed partly to the regulation 2 of 1832. The Commissioner reported that the thieves were well aware that interference on the part of police in cases of simple burglary and theft was prohibited unless sought for by the person robbed. Consequently, they preferred robbery of small sums in '6 different places' to a robbery of large sums from one single house. Another cause of the increase in the number of burglaries was the abolition of corporal punishment.[3] However, the police reports received from the Magistrates of three districts in 1835 did not reveal any increase in the number of 'heinous crimes'. Within the last 6 months of 1835, no serious crime was committed in Puri, only one dacoity was reported in Cuttack where the property plundered was Rs. 22 only and in Balasore only one small dacoity occurred. Besides these two dacoities, other 'heinous crimes' were two predatory offences attended with wounding and two murders. So the Government agreed with the local authorities that only 6 cases of 'heinous crimes' committed in three districts within 6 months were 'very

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[1] BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

[2] *Ibid.*, No. 2 of August 15, 1828, Register of Nizamat Adalat to Government.

[3] *Ibid.*, No. 46 of January 26, 1836, Commissioner at Cuttack to Government, September 25, 1835.

small' in number.[1]

A.J.M. Mills, the Commissioner in his Minute on the administration of Orissa in 1847 stated that 'heinous crimes against property are not numerous ; dacoities are of rare occurrence, and affrays are almost unknown ; petty burglaries are common ; but as crime in not systematically concealed as in Bengal, the worst is, I believe known'.[2] Mills served for 6 years as the Commissioner in Orissa and for some more years in other subordinate offices. Naturally his views regarding the extent of crimes in Orissa were the result of long experience.

The resolution of the Government on the police report of Orissa in 1853 also showed how the country was free from the crimes of 'heinous nature'. As regards offences against life, the total number of cases was only 26. The cases were confined to Cuttack and Puri. The number of persons on trial under this head was 60, of whom 18 were convicted. The crime of dacoity was unknown in Puri and Cuttack. In Balasore the yearly average had been 4 and in 1853 there was only one such case. The total number of burglaries in three districts was 423. In Balasore there were only 108 of such cases, in Cuttack 238 and in Puri, 77. The cases of theft in Puri, Cuttack and Balasore were 235, 605 and 217 respectively. The total amount of property stolen in three districts was Rs. 21,559.[3]

Thus from the criminal and police records, it is evident that crimes of serious nature did not occur frequently in Orissa. Only small burglaries and thefts were prevalent and such cases had their root in the poverty of the people. What Ricketts had said was justified that "the people of Cuttack are peaceable."

THE VILLAGE POLICE

The village police, entertained in the Mughalbandi at the period of conquest of Orissa, was commonly known at 'Chowkyah' or 'Chowkidar.' Every village had one or more of these

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[1] BJ(Cr)P, No. 32 of August 30, 1836, Government to Commissioner at Cuttack, August30, 1836.

[2] SRG, Bengal, 1847, XXIVB-No. 3, Minute of A.J.M. Mills, January 23, 1847.

[3] BJP, No. 146 of November 2, 1854, Resolution on the Police Report of 1853, October 13, 1854.

watchmen according to the size of the village. They performed both revenue and police duties in helping the collection of rents by day and guarding the village at night. In both these duties they were subject to the immediate direction and control of the headmen of the village. The 'Chowkidars' were selected chiefly from the lowest castes of Oriyas, 'the Kundras and Panas' and their office was in most cases hereditary.[1] Besides these 'Chowkidars,' there was also another class, known as 'Paiks,' who performed certain police duties in the villages during the Maratha rule. The 'Paiks,' were maintained by the holders of big estates or chieftains of Killahs who paid only quit-rents or permanently fixed revenues to the Government. In the days of the Marathas, the 'Paiks' were the local militia and performed military duties in time of war. In time of peace they performed certain police duties in maintaining law and order in their respective villages. They generally enjoyed rent-free lands for their maintenance.[2]

The regulation 13 of 1805, which was passed to regulate the police administration in Orissa, did not understand the Maratha system properly. The Britishers in those initial days of their administration believed that the zamindars in the Mughalbandi supervised the police system, and the 'paiks' kept by them performed the police duties in the villages. Those 'paiks,' the British administrators understood, were paid in term of rent-free lands So the regulation 13 of 1805, which wanted to continue the Maratha system of police, enjoined the zamindars not to resume the rent-free tenures of the 'paiks.' They were required to perform the same duties of village police under the new administration. But the Mughalbandi, except for certain big estates or killahs, was directly managed by the Maratha officers known as 'amils.' So the regulation 13 of 1805 could not be practically enforced because the so-called system, which the British thought to be in prevalence, 'never existed.' In 1806 the Cornwallis system was fully enforced in Orissa. The police stations or thanas were established and darogahs were appointed. The old and big estates in the Mughalbandi who paid only fixed rents to the British Government were also

[1] BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

[2] Report on the Village Watch of the Lower Provinces of Bengal, p. 55.

brought under the new system. The 'paiks' in those killahs were no longer required for military purposes and so rent-free lands of the 'paiks' were mostly resumed by their proprietors in the early years of British administration. The British Government did not enforce the regulation 13 of 1805 even in those estates and did not take notice of resumption of rent-free lands of the 'paiks.' The bitter consequences of such resumption of service tenures of the 'paiks' were felt by their rebellion in 1817. After the Rebellion the Government protected the 'paikan' lands which were not resumed any more by settlements. A small class of 'paiks,' thus maintained by the Government, performed only 'nominal' police duties in their rural areas.[1]

The duties of the proper village watchmen or 'chowkidars' were defined by the regulation 20 of 1817. It provided that the police darogahs, under the guidance and instruction of the Magistrates, should prepare and maintain at the police stations a complete register of the village watchmen who were employed within their respective jurisdictions. The village watchmen were subjected to the orders of the police darogahs. The regulation required that the village watchmen who resided within two miles of the thana should report daily to the police darogah all occurrences connected with the police duties, which might have happened in their respective villages during the preceding 24 hours. Those watchmen who resided within a distance from two to six miles from thanas were required to furnish similar reports twice every week. All other watchmen, whose villages were at a greater distance than 6 miles, were required to report once in every week or fortnight as they might be specifically instructed by their police darogahs.[2]

The regulation clearly recorded the duties of the village watchmen. They were required to apprehend and send to the darogah, or other police officer in charge of a thana, any person who might be captured while committing murder, robbery, house-breaking and theft. They were to convey to the

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[1] Report on the Village Watch of the Lower Provinces of Bengal, pp. 57-60.

[2] J.H. Harrington, *An Analysis of the Laws and Regulations in Bengal*, Vol. I, p. 492.

police stations immediate intelligence of robbers, who might have concealed themselves within their respective jurisdictions. It was also the duty of the village watchmen to intimate quickly to the police stations about the occurrences of murders, robberies, burglaries, thefts, violent affrays and other such offences within their respective villages.[1]

Regarding the conduct of the watchmen themselves, the regulation provided that in the event of any neglect of duty or suspicion of criminality attaching to a village watchman, the darogah should either send the individual to the Magistrate with a report of the charge against him, or should forward a report, in the first instance, and wait for instructions of the Magistrate, as the nature of the alleged offence would dictate. In the event of any gross neglect or misconduct in discharge of his duty, he should be liable of dismissal from his office by the order of the Magistrate. The darogahs and other police officers of thanas were prohibited, under penalty of dismissal from office, from employing the village watchmen on their private concerns, or on duties not connected with the police.[2]

The village watchmen or 'chowkidars' were paid in rent-free lands. In almost every village, some land was set apart for that purpose. They also generally received from the householders of their village 'a contribution in rice or cowries and sometimes a cess on each plough of a sheaf of paddy.' But in general they were very inadequately remunerated and in consequence they were less alert and attentive to their duties.[3] In 1813 the Magistrate of Cuttack stated : "It is notorious that the generality of the watchmen are themselves the thieves on most occasions. This arises from their not being sufficiently paid for their trouble by the landholder, whose interest it is to protect the property of their tenants."[4]

Lord Moira, in his judicial minute on October 2, 1815, discussed about the inefficiency of the village police establishments and inadequacy of their remuneration. The Magis-

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1 J.H. Harrington, *An Analysis of the Laws and Regulations in Bengal*, Vol. I, p. 492.

2 *Ibid.*, p. 493.

3 BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

4 G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 74.

trates who complained against them traced their inefficiency to the double capacity in which those individuals served. They were subordinate to two authorities ; to the established police in matters of police duties and to the zamindar or his local representative in matters of payment. The Magistrates further pointed out that as they could not obtain cordial co-operation of the zamindar, they had but little command over the village police who necessarily looked up more to the person who paid them than to the officers of the Government from whom they received no wages. However, Moira was not inclined to make the village 'chowkidars' the direct servants of the Government by paying them their wages. He argued that if they would be the servants of the Government, instead of being the servants of the community, they would be masters of the latter, and an authority would be established 'pregnant with the most odious tyranny'. So he did not consider it desirable that any reform of the village institutions should be attempted with the object of making them servants of the Government and exclusively subordinate to the Magistrate.[1]

In 1821 William Blunt, the then Commissioner at Cuttack, who knew the problem of inadequacy of remuneration of the village 'Chowkidars' decided to take some steps to improve their condition. He adopted necessary measures for preparing a complete register of the existing village police establishments in his jurisdiction. He intended to furnish the copies of that register to the Collector and Deputy Collectors so that in adjusting the land revenues or making the village settlements, due attention might be given to secure for the village 'chowkidars' an adequate provision in land. Such lands, when once set apart, should not be liable to resumption.[2] However, the evil could not be eradicated quickly. In 1827 when Henry Ricketts was the Magistrate of Cuttack, he found no improvement in the matter. To him it appeared that the village 'chowkidar' was 'the real backbone of the whole police system'. Therefore, in the improvement of his pay and position lay the success of preventing petty thefts and

[1] PP, H.C., 1819, Vol. 13, No. 21.
Copy of Lord Moira's Judicial Minute on October 2, 1815.

[2] BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

burglaries which frequently occurred in villages. He stated that there were villages twenty-five, thirty, and even forty miles away from the thanas. Consequently, much depended on the sincerity of the village 'chowkidars' for the maintenance of law and order in those remote villages. In some places one single 'chowkidar' was in charge of fifteen or sixteen villages. The villages were so far apart from each other that it was utterly impossible for him to visit them daily. He found out that in many parts of Orissa, the zamindars had resumed rent-free tenures of the 'chowkidars' and so, in many villages the 'chowkidar's only means of livelihood was a petty tax collected from each inhabitant according to his means.[1]

The evil continued and the village police system did not improve. In the settlement of 1837-38 which was based upon a regular measurement of lands and an accurate defination of tenures, the Government directed the Commissioner of Cuttack to resume all rent-free tenures of the village watchmen and to introduce a system of cash payments as followed in the North-Western Provinces.[2] The Commissioner protested against such a policy on the ground that the expense of maintaining the village 'chowkidars' through cash payment would be much heavier. It was calculated that the annual salary of a 'chowkidar' at two rupees per month would exceed by at least one-half the annual value of the produce of his jagir lands. Mills, the then Commissioner, went so far as to say that "the country is not rich enough to support so costly an establishment, and I recommend a return to the old system, of assigning to each Chowkidar a jagir on a suitable scale, five Beegahs of good land have been hitherto taken as the maximum quantity to be assigned to a Chowkidar."[3] He further argued that the settlement was far advanced and so it was not possible to introduce the new system. The Government, on the other hand, did not agree with his views. As a result, the Commissioner was compelled to introduce the new system of cash payments. But the local settlement officers

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[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, pp. 75-76.

[2] Report on the Village Watch of the Lower Provinces of Bengal, P. 61.

[3] BRP, No. 36 of January 20, 1847, Commissioner at Cuttack to Government of Bengal, March 13, 1843.

protested against such a measure. So the Government called upon the Board of Revenue to report in details on the system prevalent in the North-Western Provinces to reconsider the case of Orissa in the light of those experiences. At the same time the Government insisted that the local settlement officers should not confer fresh jagirs on the 'Chowkidars' in Orissa. But the orders were deliberately disobeyed and the jagir system was maintained for their support throughout the province.[1] Finally, the Government did not want to disturb the land settlements with the 'Chowkidars' and proceedings of the local revenue officers were confirmed.[2] The total number of village police forces in Orissa, as calculated on the 'Report on the Village Watch of the Lower Provinces of Bengal' in 1866, was 9855. In the districts of Balasore, Cuttack and Puri, the numbers were 1742, 5481 and 2632 respectively.[3]

The village police system, as prevailed in Orissa, was rather misunderstood by the British in the initial period of their administration. But even when it was realized that the village police was the backbone of the system, the Government did not give serious attention to improve their conditions for a long time. Naturally they were not very efficient and dutiful. It was only during the settlement of 1837-38 that the Government gave due attention to them and they were adequately remunerated in rent-free lands for efficient discharge of their duties.

ARRANGEMENTS OF POLICE IN TOWNS

Special police arrangements were made for the towns of Balasore, Cuttack and Puri. Besides the usual police establishments in the thanas of these towns, extra 'barkandazes' were kept for greater safety of the inhabitants at a monthly cost, in case of Balasore and Puri, of Rs. 108 and of Rs. 178 for Cuttack. The sum for Cuttack was increased in 1807 to Rs. 200 by the appointment of additional 'barkandazes.'[4] The

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1 Report on the Village Watch of the Lower Provinces of Bengal, p. 61.

2 BRP, No. 49 of January 20, 1847, Secretary to Government of Bengal to Secretary to Sadar Board of Revenue, January 20, 1847.

3 Report on the Village Watch of the Lower Provinces of Bengal, Appendix A, p. 42.

4 G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 78.

Government then wanted to introduce the system of subsidiary police establishments required by the regulation 13 of 1813 and the regulation 3 of 1814 in the town of Cuttack. The system wanted small payments from householders for maintenance of the special police force in towns. The inhabitants of Cuttack were much dissatisfied against the proposed measure of the Government. They assembled in large number at different parts of the town and clamoured for the repeal of the newly imposed system. The Magistrate desired them to disperse and return to their homes. The police tried in vain to procure obedience to the orders of the Magistrate. The shops of the principal bazars were closed and business was suspended for several days. The people also prevented entrance of grain into the town. Thus the normal life of the town was disturbed. All efforts of the Magistrate to restore normal condition in the town failed.[1]

The inhabitants of the town were assured that the tax would not be imposed on the people who had no sufficient means to pay. But the people demanded a pledge from the Government that the tax should be abolished. Finally, the Government took resort to the military forces and tranquillity was restored in the town without any casualty.[2] No further opposition was shown to the imposition and collection of the tax. The town was divided for the purpose into 17 'mahallas' or wards and the Magistrate appointed 17 'mahalladars' to collect the tax. But some of the 'mahalladars' failed to collect the fixed amount and the Magistrate reported to the Government : "I have solid reasons for believing the poverty of the householders has been the principal obstacle." He, therefore, thought proper to revise the division of the town and the number of 'mahallas' was reduced to six. The arrangements, which the Government made after proper consideration, were as follows:

1 Orissa Records, Vol. I, M. Ainslie, Magistrate of Cuttack to Col. R.B. Gregory, Commanding at Cuttack, September 30, 1814, p. 86.

2 Orissan Records, Vol. I, M. Ainslie to Chief Secretary to Government, October 2, 1814, pp. 26-7.

No.	*Name of Mahalla or Ward*	*No. of Chowkidars employed in each ward*	*Cost @ Rs. 3 per Chowkidar per month (in Rs.)*	*No. of houses in each Ward*
1	Balu Bazar	10	30	1199
2	Telinga Bazar	15	45	1612
3	Kafla Bazar	7	21	1046
4	Ganga Mahal	6	18	722
5	Kadam Rasul	5	15	622
6	Bauxi Bazar	12	36	1190
	Total	55	165	6391[1]

It is quite evident from the above table that the tax was very small. It was only about 1/3rd of an anna or 1/48th of arupee per house per month. But yet the tax was very much unpopular. In 1818 the Magistrate of Cuttack reported that it was not desirable to continue the system against popular resentment. He further started that little practical benefit had been derived from appointment of the 'Chowkidars' in the town as crimes were 'rare' in Cuttack. The Government took into consideration 'the quiet and peaceable state of the town' and 'the extreme poverty of the inhabitants' and so abolished the tax in the same year.[2]

After the failure of this 'quasi-muncipal' taxation in the town of Cuttack, the Government did not make any experiment in other two sadar towns of Balasore and Puri. These three towns of Orissa were almost exclusively guarded by the regular police. For a long period, the Government did not think of introducing the subsidiary police establishments in the towns of Orissa. It was only in 1857 the question was mooted but the Commissioner did not recommend it in accordance with the views of the Magistrates of Cuttack, Puri and Balasore.[3]

[1] BJ(Cr)P, No. 38 of January 12, 1815, Acting Magistrate at Cuttack to Chief Secretary to Government, November 22, 1814.

[2] G. Toynbee, *A Sketch of History of Orissa (1803-1828)*, p. 65.

[3] BJP, No. 166 of December 31, 1857, Commissioner at Cuttack to Government of Bengal, July 31, 1857.

In this connection he reported about the prevalent police system in three sadar towns. The town of Cuttack was guarded exclusively by the regular police which consisted of a darogah, a 'muharrir', a jamadar and 9 'barkandazes in the sadar thana, one jamadar and 9 'barkandazes' in each of 5 out-posts, and a patrol force of one jamadar and 9 'barkandazes.' The 'barkandazes' of out-posts were required to patrol the town from 9 p.m. to 6 a.m. and they were kept on alert by the patrol establishment. The system worked well because the inhabitants were neither 'turbulent' nor were there any tendency towards serious crimes among the people. The town of Puri was guarded by 52 'barkandazes' under one darogah and 5 jamadars. Besides these regular police forces, there was the Temple guard of 100 'barkandazes', 5 'daffadars' and 2 jamadars who were stationed outside the temple gates and were available for police duty in the town at a short notice. The town of Balasore was guarded partly by the regular police and partly by 'Chowkidars' who received monthly salary. The 'chowkidars' were appointed by the zamindars of the town and their monthly salary was paid by the tenants. It was collected by the 'chowkidars' themselves with the help of regular police.[1]

Thus, there was rather no special arrangement of police in the towns of Orissa. An attempt to introduce subsidiary police establishments by taxation on the people failed at Cuttack, the principal town to the province. The Government realized that there was no necessity for any special arrangement of police in the towns as the people were 'peaceable' and serious crimes were not committed frequently.

SPECIAL POLICE FOR THE JAGANNATH ROAD

The Jagannath Road was the principal thoroughfare in Orissa which stretched from the banks of river Subarnarekha in the north to the holy town of Puri. Large number of pilgrims from different parts of North India passed through it on their pilgrimage to Puri throughout the year. Highway robbery was not of common occurrence in Orissa and so there was no special police arrangement on the Jagannath

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[1] BJP, No. 168 of December 31, 1857, Commissioner at Cuttack to Government of Bengal, September 8, 1857.

Road for a long time. The regular police force in the province was thought to be adequate for protection of lives and property of numerous travellers who passed on the road. But in 1853, F.Gouldsbury, the Commissioner and the Superintendent of Police in Orissa, thought of a new plan to afford increased protection to the travellers.[1] He suggested to the Government that at an additional outlay of only Rs. 224 per month, a chain of 38 police out-posts might be established along the road which was 162 miles long. He desired to establish a police station at intervals on the average of 4 miles with one or two 'barkandazes' at each and to appoint a jamadar for supervision of every six of these stations. They were required to report the occurrences of crimes on the road to the nearest thana.[2] Gouldsbury intended to enforce such a system of patrol somewhat similar to that which was established on the Grand Trunk Road. The Government appreciated such a plan for the Jagannath Road. On November 24, 1853, the Governor-General in Council sanctioned the entertainment of an additional police force at the cost of Rs. 224 per month for the Jagannath Road in Orissa in order to afford additional security to the lives and property of multitudes who frequented that road.[3]

On the whole, the administration of criminal justice and police in Orissa under the East India Company was successful. After the period of initial failure, the Government became cautious and vigilant. The oppressive and corrupt practices of native darogahs and 'amlas' of criminal courts were checked. The establishment of thanas or police stations for the prevention and detection of crimes was rather a novel feature of the British administration of which the people had no previous experience. In course of time, the village police system was revitalized, and the British regulations clearly defined the duties of village 'chowkidars' who were required to report regularly to the police stations about the condition of

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1 BJP, No. 190 of October 27, 1853, Commissioner at Cuttack to Government, September 10, 1853.

2 *Ibid.*, No. 196 of October 27, 1853, Secretary to Government of Bengal to Secretary to Government of India, October 22, 1853.

3 *Ibid.*, No. 160 of December 8, 1853, Extract from proceedings of Governor-General in Council, November 24, 1853.

their villages. Three sadar towns of Cuttack, Puri and Balasore were guarded by adequate number of regular police officers and 'barkandazes.' The Government also took extra precaution for the safety of pilgrims in the Jagannath Road by special police arrangements. The reports of Henry Ricketts, the member of Board of Revenue, towards the end of East India Company's rule stated that the number of police force was adequate in comparison with the criminal offences in the province The statistics of crime justified his opinion that the people of the province were peaceable.'

B. ADMINISTRATION OF CIVIL JUSTICE, 1804-1858

On May 4, 1804, the Governor-General in Council framed certain rules for the administration of civil justice in Orissa or 'the Zillah of Cuttack'. Those rules were framed only as a temporary measure and remained in force until September 5, 1805 when a new regulation was enforced.[1]

The temporary rules provided that the 'province of Cuttack including Balasore and its other dependencies' should form 'a Zillah' and should be included in Calcutta division of the Provincial Court of Appeal. The Zillah was to be divided into two divisions and was to be denominated as the northern and the southern division of the zillah of Cuttack. It was provided that one Judge should be appointed in each division of the zillah to try all civil cases relating to private rights or property in the first instance.[2]

Under the temporary provision the jurisdiction of the Provincial Court of Appeal over Cuttack was suspended, and it was provided that those who held the office of 'Commissioners in Cuttack' should act as a court of appeal for 'the zillah'. They were empowered to try all appeals from the Courts of Zillah Judges. An appeal could be made against the decisions of the Commissioners to the Sadar Dewani Adalat. It was also provided that the Judges of Zillah courts, the Commissioners and the Sadar Dewani Adalat, should decide cases according to "the laws, customs and usages, which prevailed in the said Zillah previously to its cession to the British Government."

[1] BJ(C)P, No. 24 of September 5, 1805, Governor-General in Council to Commissoiners in Cuttack, May 4, 1804.

[2] *Ibid.*

Thus the British administrators showed due consideration to the local system and did not hastily introduce their own system in Orissa. However, the Commissioners were empowered to make necessary alterations in the system with the approval of the Governor-General in Council.[1]

According to this regulation, in June 1804 Orissa was divided into two divisions, the northern and the southern with river Mahanadi as the boundary between the two. Robert Ker and Charles Groeme were appointed to act as the Judge, Magistrate and Collector in the northern and the southern divisions respectively. This arrangement worked for over a year and in August 1805, the Government resolved to amalgamate two divisions into one and entrust the administration of civil justice in the hands of a single Judge. Robert Ker took charge of the new office.[2]

A new regulation was passed on September 5, 1805 for the administration of civil justice in Orissa or 'the zillah of Cuttack'.[3] This new regulation removed suspension of the jurisdiction of the Provincial Court of Appeal in Orissa as the office of Commissioners, who exercised the powers of the said court, had been abolished. It prohibited the civil court of Cuttack from hearing, trying or deciding civil suits, "wherein the cause of action would have arisen 12 years antecedent to 14 October 1803, the date on which Cuttack was surrendered to the British arms."

The said regulation extended the Bengal regulations to Orissa for the administration of civil justice. It provided that in cases in which the Bengali 'language and character' were directed to be used in the province of Bengal, the Oriya 'language and character' should be used in Orissa. Finally the regulation specifically declared that the Tributary Mahals would not be included in the jurisdiction of the civil court of Cuttack.[4]

Thus the regulation 14 of 1805 brought Orissa under the British system of administration of civil justice which prevailed in the Bengal Presidency. It began under a single Judge for

[1] BJ(C)P, No. 24 of September 5, 1805, Governor-General in Council to Commissioners in Cuttack, May 4, 1804.

[2] *Ibid.*, No. 1 of August 29, 1805, Resolution of the Governor-General in Council.

[3] *Ibid.*, No. 34 of September 5, 1805, Regulation 14 of 1805.

[4] *Ibid.*

the whole province but subsequently other officials were added to cope with the growing business of the department as well as to make justice available to all classes of people. By 1821, besides the Judge at the sadar station of Cuttack, there were two Registers, one at Balasore and the other at Khurda. Besides these British officers, there were also the native agency of 2 sadar 'amins' at Cuttack and 16 'munsiffs' at different places to try small civil suits.[1]

However, like the administration of criminal justice and police, the initial period of British administration of civil justice in Orissa was almost a failure. Walter Ewer, the special Commissioner who came to enquire into the causes of the Rebellion of 1817, found that like the police darogahs, the 'munsiffs' were 'to the last degree venal and corrupt.'[2] He pointed out that in Orissa the British regulations had totally a different effect from that which it produced in Bengal. The institution of suits and complaints of every description by the lower order of people had been checked by extension of the stamp laws to Orissa. He believed that the personal character of the Judge and Magistrate was of utmost consequence in every district, for however great his ability and unshaken his integrity, to be respected and trusted by the people, they must see him face to face and not through 'the deceitful medium' of the 'amlas'. He should be known to be independent of his officers, and personally respected by the people because the Oriyas were comparatively new subjects and ignorant of British laws and systems. Therefore, he suggested that the Judge must visit different parts of his jurisdiction in the cold season of every year attended by Oriya officers.[3]

Ewer's reports and suggestions were duly considered by the Government and the regulation 5 of 1818 was passed to redress the grievances of the people and remove certain abuses in the administration. This regulation created the new office of the 'Commissioner in Cuttack' with powers of general control over the administration of every department in the province. As

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[1] BJ(Cr)P, No. 18 of December 17, 1821, Commissioner at Cuttack to Government, September 7, 1821.

[2] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

[3] BJ(Cr)P, No. 37 of April 28, 1818, Ewer to Government, February 27, 1818.

regards the administration of civil justice, the Commissioner was vested with the powers and functions of the Provincial Court of Appeal. It was provided that his decisions and orders in all civil suits coming under his cognizance should be final and conclusive, "except in those cases which being from their amount ultimately appealable to His Majesty in Council should be cognizable in appeal by the Sudder Dewanny Adawlut."[1]

By the regulation 2 of 1821, further changes were introduced in the administration of civil justice. A policy of progressive Indianisation of judicial service had been followed by the Marquis of Hastings, the Governor-General from 1813. He had encouraged the appointments of 'munsiffs' and sadar 'amins'. This policy was partly due to his belief that increasing number of Indians should be associated with the British administration and partly motivated by a sense of economy. There was a shortage of covenanted European officers for which the Judges were overworked and even then many cases remained pending for a long time. Naturally Hastings decided to enhance the powers and also the number of Indian judicial officers to relieve the Judges and clear up the pending business. The 'munsiffs' were authorized to decide civil suits to the extent of Rs. 150. The sadar 'amins' were empowered similarly to try suits to the extent of Rs. 500 and the Registers and sadar 'amins' were authorized to execute their own decrees.[2]

WILLIAM BLUNTS REPORT OF 1821

On September 7, 1821, William Blunt, the Commissioner, presented a valuable report to the Government on the state of judicial administration in Orissa.[3] He did not find any disinclination on part of the inhabitants to resort the courts of justice with their complaints. There was also, in his opinion, no dread or mistrust of those courts. To justify his statement he showed an increase in the number of suits instituted in the Judge's Court between 1816 to 1820. The number of suits instituted during these years were as follows :—

Ibid., No. 44 of April 28, 1818, Regulation 5 of 1818.

BJ(C)P, No. 24 of January 19, 1821, Regulation 2 of 1821.

BJ(Cr)P, No, 18 of December 17, 1821, Blunt to Government, September 7, 1821.

Year	*No. of suits*
1816	222
1817	131
1818	201
1819	269
1820	301

It was also evident from the total number of original and regular suits and appeals which were pending before the Judge, or in the subordinate courts on 30th June 1821. They were as follows :—

Before what Court	*Original regular suits*	*Summary suits*	*Appeals*
Judge	170	210	55
Register of Khurda	14	35	4
Register of Balasore	36	53	10
2 Sadar Amins	181	—	7
16 Munsiffs	1154	—	—
Total	1555	307	76[1]

Blunt believed that justice was easily accessible to all classes of inhabitants in Orissa. But he admitted that the administration of justice was not 'pure' and the people had just grounds of complaint on that head. The main complaints of the people centred round maladministration of the courts of 'munsiff' and extension of the stamp duties to Orissa.

By the regulation 1 of 1814, it was required that "in suits instituted in any court of judicature, and in appeals preferred from the judgement of any such court, to a superior court", the petition should be written on stamped papers. If the amount or value of the property claimed did not exceed 16 rupees, the stamped paper of one rupee was required for such purpose. For the amount exceeding 16 rupees and below 32

[1] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September, 7, 1821.

rupees, the stamped paper required was of two rupees, above 32 rupees up to 64 rupees of four rupees, above 64 rupees upto 150 rupees of eight rupees and so on. If the amount was above 1 lakh of rupees, the stamped paper required was of rupees 2,000.[1]

It was further provided in the regulation that "In suits for land paying revenue to Government, the value of the property shall be assumed in the ceded and conquered provinces, including Cuttack, at the amount of the annual jama payable on account of the land in question to Government.' It was also required that for filling in of any exhibit in any court of judicature, the application must be written on stamped paper. In the courts of Register, and Zillah Judge, stamped papers of 8 annas and 1 rupee were required for such purposes respectively. In the Provincial Courts of Appeal and Sadar Diwani Adalat the stamped paper required was of two rupees. For any other purpose in the courts of judicature, similar stamped papers were prescribed for the courts of Register and Zillah Judges. Only in the case of the Provincial Courts of Appeal and Sadar Diwani Adalat, stamped papers of four rupees were required.[2]

Ewer had previously expressed his strong views against the enforcement of stamp duties in Orissa. He was of opinion that the lower classes of inhabitants were prevented from seeking redress in the courts for that particular measure. The statement of suits instituted before the munsiff's courts in Orissa from 1810 to 1820 apparently justified that views of Ewer.[3] Blunt agreed with Ewer that "the spirit of litigiousness for which their neighbours in Bengal are so noted, has not yet possessed the natives of this District", but he was not prepared to recommend that the check upon the evil should be withdrawn by a reduction in the amount of stamp duties. He did not concur with Ewer in ascribing principally to the effect of stamp duties the considerable decrease which had taken place since 1817 in

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[1] J.H. Harrington, *An Analysis of the Laws and Regulations of Bengal*, Vol. III, p. 165.

[2] *Ibid*., pp. 166-69.

[3] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September 7, 1821.

The Statement of suits from 1810 to 1820 was as follows—

1810—2326	1813—5145	1816—1346	1819—818
1811—3262	1814—3775	1817—418	1820—803
1812—2710	1815—1445	1818—556	

the number of suits instituted in the 'munsiffs' courts. However, he agreed that "it is probable that those provisions may have had some effect in causing a decrease of suits."[1]

Blunt was convinced that the decrease of suits was "the surest indication of the suppression of the abuses which were notoriously practised in those Courts." He pointed out that numerous suits were instituted in the courts of 'munsiffs' at Puri, Gope and Khurda, the part of the province which were the chief scenes of disturbances in 1817. In those parts of Orissa,'injustice and oppression' held its full sway. The Government became alert only after the disturbances in 1817. So Blunt believed that alertness of the Government had "put a stop to the abuses which were so extensively prevalent in the Moonsiff's Court."

Still the 'munsiffs' were not honest and dutiful. Like Ewer, Blunt also vehemently criticised the 'munsiffs'. He found out that they did not confine their activities within limits of their own jurisdiction and declared that "it is reported as an unquestionable fact that they kept up a number of travelling mokhtears whose employment was to go forth in all directions in search for suits and to bring in plaintiffs." The natives compared those persons to 'pandas' and 'pariharis' of the Temple of Jagannath who travelled to all parts of the country to stir up zeal and stimulate devotion of the Hindus in order to bring them to Puri. Blunt believed that numerous decrees were passed without any notice having been served on the defendants. He was also convinced that "those courts were regarded in no other light than as instruments of fraud and chicanery."[2]

Blunt concluded that if such abuses prevailed in the judicial department, the cause of decrease of suits since 1817 was obvious, as most of the old 'munsiffs' had been dismissed and the new ones were better controlled and were not allowed to exceed the powers vested in them by the regulations. The raiyats had also been relieved of the oppressions they were exposed to, and fewer causes of action might perhaps in consequence have arisen relating to matters of rent. He collabora-

[1] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September 7, 1821.

[2] *Ibid.*

ted his conclusions with one concrete example. In 1817, 511 records of 'munsiffs' in Gope, Puri and Khurda were destroyed. But no body came again to petition though it was declared that they would be allowed to apply in unstamped paper. This showed how their claims had been glaringly fraudulent and groundless.[1]

Blunt's report revealed another interesting fact regarding the 'munsiffs'. The degree of negligence of their duties and the extent of their corrupt practices could be well accounted for if their remuneration was taken into consideration. They were not paid directly by the Government. The fees which the people paid to start their suits constituted their only remuneration. The following account of fees received by those officers during the years 1819 and 1820 would show how inadequate, almost ridiculous in certain cases, were those amounts for their decent support.

	Place of Munsiff's Court		*Total amount of fees in Rupees*	
			1819	*1820*
1.	Basta	—	10	—
2.	Balasore	—	261	191
3.	Soro	—	—	211
4.	Bhadrak	—	53	25
5.	Jajpur	—	13	89
6.	Arakpur	—	72	41
7.	Talmala	—	76	20
8.	Kanika	—	6	9
9.	Tiran	—	56	37
10.	Assureswar	—	32	41
11.	Hariharpur	—	16	19
12.	Paharajpur	—	54	67
13.	Puri	—	306	220
14.	Gope	—	45	39
15.	Pipli	—	31	19
16.	Cuttack	—	109	52[2]

[1] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September 7, 1821.

[2] *Ibid.*

This account, as reported by Blunt, is almost unbelievable. It is difficult to imagine the type of persons who acted as 'munsiffs' with such scanty remuneration. Blunt pointed out that "it is seldom that a respectable and well qualified person can be induced to accept the office." In some instances, the jobs were held by the relatives or dependents of land holders who kept such officers for their own advantage. But the appointment of such persons were objectionable when their lands might be situated within their jurisdictions. Blunt hoped that extension of the powers of 'munsiffs' by the provisions of the regulation 2 of 1821 might enable the Judges to make a better selection and to find persons of respectable character and qualifications willing to accept the job.[1]

REORGANIZATION OF OFFICES, 1828-1831

On October 23, 1828, the Governor-General in Council resolved to divide the province into three distinct divisions or districts. Accordingly the offices of British civil servants in Orissa were reorganized. As regards the administration of civil justice, some changes were also introduced by this resolution. In the district of Balasore or northern division of the province, the Collector-cum-Magistrate was given the authority of Register with full powers for administering civil justice. In the district of Cuttack or central division, the office of Magistrate was combined with that of the Judge. For the southern division or the district of Puri, the Governor-General in Council did not provide any separate civil court. It was so decided because the sadar station of Cuttack was not very far from the populous part of the district of Puri.[2] Thus, in 1828 only two higher courts were provided in Orissa for the administration of civil justice. It was not possible for the officers who were in charge of the subject to devote their full time to it because they were saddled with esponsibilities in other departments. Perhaps such a system was adopted on the basis of light work in the department

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[1] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September 7, 1821.

[2] *Ibid.*, No. 1 of November 27, 1828, Resolution of Governor-General in Council.

and also with a view to gain the maximum economy.

Lord William Bentinck, who took charge of the Government in July 1828, was entrusted with the responsibility of reconstructing his administration to gain the maximum economy. Because by that time, annual deficiency of the Government had taken a bad turn. The wars of the Marquis of Hastings and the Anglo-Burmese war under Lord Amherst had produced a state of financial crisis. So Bentick had to devise money-saving changes in administrative set-up of the Government. In the sphere of judicial administration, Bentinck thought of the plan of increased Indianisation of the judicial service as he believed that it would not only conform to the object of economy but also fulfil the ends of justice.

The plan of reform in the judicial administration was finally adopted in 1831 which brought about a series of extensive changes in the department. While the Government looked to economy, it did not forget the principle of efficiency. The earnest endeavour of the Government was that by the new arrangements, the business should not merely be got rid of, but it would be performed satisfactorily. The Vice-President in Council passed a regulation on November 1, 1831 to elaborate the powers and functions of the native agency which was to be introduced in the new set-up.[1]

First, the new regulation enhanced the power of 'munsiffs'. They were empowered to receive, try and determine suits for money or personal property upto 300 rupees in amount or value. The sadar 'amins' were empowered to try original suits up to 500 rupees referred to them by zillah or city Judges under ordinary circumstances, and up to 1,000 rupees for special reasons. Their jurisdiction extended to 1,000 rupees generally in original suits of personal or real property. The regulation made new provisions for the appointment of principal sadar 'amins.' Those officers were empowered to determine original suits from 1,000 to 5,000 rupees, besides appeals referred to them by zillah and city Judges from the decisions of 'munsiffs' or ordinary sadar 'amins.'[2]

This regulation also provided that in original suits decided by the principal sadar 'amins,' a regular appeal could be made

[1] BJ(C)P, No. 23 of November 8, 1831, Regulation 5 of 1831.

[2] *Ibid.*,

to the zillah and city Judges. But only special appeals could be preferred to the Sadar Diwani Adalat from their decision in referred appeals. Appeals from the decisions of 'munsiffs' and sadar 'amins' could be made to zillah and city Judges. It was declared that principal sadar 'amins' or ordinary sadar 'amins' should not be removed from their office without the sanction of the Governor-General in Council. Similarly, 'munsiffs' could be removed by the Sadar Diwani Adalat only. It was decided by the regulation that 'munsiffs' should be paid by monthly salary not by fees as before.[1]

Besides such sweeping changes in the powers and functions of Indians in the judicial service, substantial changes were also brought about in the functions of European authorities. The disposal of all original suits up to 5,000 rupees was transferred to Indian officers. But the European Judges were authorised to retain any suit for trial and could recall suits referred to Indian officers, or transfer the cases from one 'munsiff' or sadar 'amin' to another. Though there would be no European judicial functionary below zilla or city Judges, yet they were required to control and regulate the proceedings of Indian officers and report on their conduct and ability to the Sadar Diwani Adalat. The office of Register was abolished. Thus the jurisdiction of the zillah and city Judges became almost unlimited in the districts to which the provisions of the regulation 5 of 1831 were introduced. An appeal from their decision could be made only to the Sadar Diwani Adalat. So the regulation abolished the Provincial Courts of Appeals and reduced the number of European functionaries in the judicial service."[2]

The Court of Directors approved of this 'more extended use of native agency' and appreciated the propriety of declaring 'all natives of India eligible to the judicial office'. However, they pointed out that it would be incumbent upon the Government to establish some tests of qualification of candidates and also prescribe some course of apprenticeship as might be found expedient. 'With an unlimited field for selection,' they hoped that the Government had 'a right to

[1] BJ(C)P, No. 23 of November 8, 1831, Regulation 5 of 1831.
[2] BJ(C)P, No. 22 of November 8, 1831, Minute of Charles Metcalfe.

command the highest moral and intellectual attainments which are to be found in the people of India.'[1]

Such changes in the administration of civil justice by the Government led to necessary changes in Orissa. It was reported by the Commissioner and the Judge that the actual number of original suits Instituted in Orissa from January 1, 1828 to December 31, 1830 were 4569, and that was on an average of 1523 suits per annum. The total number of decisions during the same period amounted to 4482 or an annual average of 1494 which were made by a Judge, one Register (in 1828 there were of course two Registers), 3 sadar 'amins' and 7 'munsiffs'.[2] The Government took the volume of work into consideration and decided that besides the Judge, one principal sadar 'amin' at Cuttack, two sadar 'amins' at Balasore and Puri, and 6 'munsiffs' at different parts of the province would be able to administer civil justice in Orissa. The 'munsiff' at Cuttack remained in charge of 36 'parganas' likewise the 'munsiffs' at Kendra-para, Dhamnagar, Balasore, Pipli and Puri were in charge of 46, 34, 42, 28 and 24 'parganas' respectively. The salary allowed to the principal sadar 'amin', the sadar 'amin' and the 'munsiff' was Rs. 500, Rs. 300 and Rs. 110 respectively.[3] Besides these changes, the Government also separated the office of Judge-cum-Magistrate at Cuttack and it was resolved that from March 1, 1832, the Judge should be relieved of his duties of magistracy.[4] On April 28, 1834, the office of sadar amin at Puri was abolished by recommendation of the Commissioner.[5]

INTRODUCTION OF VERNACULAR LANGUAGE IN THE COURTS

In 1835 the Government decided to abolish the Persian language in judicial courts and introduce the vernacular langu-

[1] Letters from the Court, Judicial Department September 11, 1833, No. 2.

[2] BJ(C)P, No. 36 of December 27, 1831, Commissioner and Judge at Cuttack to Government, December 8, 1831.

[3] *Ibid.*, No. 41 of December 27, 1831, Government to Commissioner at Cuttack, December 27, 1831.

[4] *Ibid.*, No. 26 of January 17, 1832, Government to Commissioner at Cuttack, January 17, 1832.

[5] *Ibid.*, No. 10 of April 28, 1834, Government to Sadar Diwani Adalat, April 28, 1834.

ages in its place. The Court of Directors approved of the scheme in their despatch on June 26, 1835, and accordingly on December 24, the matter was intimated to the Commissioner of Cuttack.[1] Of course, it was not enforced immediately. On January 27, 1837, the Commissioner was further informed that the proceedings of courts should be maintained in the provincial language, and a copy of Persian translation of the proceedings in Oriya should be sent to the sadar courts.[2]

Thus in 1837 Oriya was introduced in courts as the vernacular language of the province. But it took time to replace Persian and Hindustani from the courts due to several factors. First, the British officers were not well versed with Oriya. They were accustomed to work in Persian and Hindustani. Naturally they could not immediately pick up the vernacular language of the province. Secondly, there were many subordinate officers in the courts who were not Oriyas and who did not know the vernacular language of Orissa. Thirdly, the Government did not take care of the growth of education in the province and consequently there were no educated Oriyas to expedite the introduction of the vernacular language in the courts. On June 16, 1838, Henry Ricketts, the Commissioner reported to the sadar court that though the vernacular language had been introduced, yet statements in the courts were being prepared in Persian.[3] In 1839 the Sadar Board of Revenue wanted to ascertain the effects of the introduction of the vernacular language on the people as well as the administration and asked the Commissioner to report on the matter. Mills, the Commissioner, collected the views of several district Magistrates and sent them to the Sadar Board along with his own opinion. The Magistrate of Puri reported that the people were immensely benefited by the introduction of vernacular language. The Magistrate of Cuttack also reported in favour of the vernacular language. But the Magistrate of Balasore did not fully support the introduction of vernacular language in place of Persian. He doubted the feasibility of disposing official work in the verna-

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1 BRR, Circular of Sadar Diwani and Nizamat Adalats, 1831-35, Vol. 55, pp. 134-35.

2 *Ibid.*, 1836-42, Vol. 78, pp. 38-43.

3 BRR, Letters issued from January to June 1838, Vol. 65, p. 171. Commissioner to Register, Nizamat Adalat, June 16, 1838, No. 1628.

cular language quickly. He argued that the benefit which would accrue from introducing Oriya would be much less than the loss from delay in the official work. So he suggested that the introduction of Oriya should be limited to certain specified subjects and Persian should continue in all other matters. The Commissioner reported that Oriya had been introduced in all official work at the sadar office and that immense benefit would accrue to the people in course of time. But at the same time the introduction of Oriya was so sudden that it was not possible to cope with the work within a short period. As a solution he suggested that correspondence in subjects not connected with the people should be maintained in Hindustani instead of Persian. Such a method would remove delay in the official work and also would not cause any harm to the interests of the people.[1]

The Sadar Board of Revenue perhaps took the suggestion of the Commissioner in a different spirit and came to believe that the introduction of Oriya was not at all beneficial to official work. So in 1841, it recommended for a gradual introduction of Bengali in place of Oriya in the province. Mills, the Commissioner, consulted with the Judge of Cuttack and the Magistrates of three districts of Orissa and came to the decision that such a policy was completely 'unrealistic'. He further pointed out that such a change of language would bring about a widespread discontent among the Oriyas. He was categorical in his opinion that the introduction of Bengali in Orissa was highly objectionable and undesirable.[2] Thus began a controversy which continued for some time. Though Oriya was introduced in the courts and public offices of Orissa, yet the higher authorities still doubted the efficacy of the measure. In 1850 Henry Ricketts, then member of the Sadar Board of Revenue, proposed for the introduction of Hindustani in Orissa. His grounds were that there were a large number of muslims in Orissa who knew Hindustani well. The British officers who were transferred to Orissa from other parts of the Presidency generally knew Hindustani. Such officers were required to learn a new language in Orissa unnecessarily.

[1] BRR, Letters issued from January and February 1839, Vol. 67, pp. 242-45, Mills to Sadar Board of Revenue, February 6, 1839, No. 313.

[2] BRR, Letters issued in 1841, Vol. 76, pp. 9 10, Mills to Sadar Board of Revenue, February 3, 1841, No. 286.

But Goulsbury, the Commissioner, gave his decided opinion that such a measure would be both 'impolitic and injudicious.' He argued that the total number of muslims in Orissa was negligible and that it was a duty of the British officers to learn the language of the people where they served. Gouldsbury stated that the views of Ricketts were based on false presumptions, and it was not at all reasonable and desirable to think of introducing Hindustani in Orissa. He wanted to convince others that the introduction of Oriya in judicial courts and public offices of Orissa was a highly beneficial measure for the people of the province.[1] The Government accepted the views of Gouldsbury and the question of introducing Hindustani in Orissa was dropped. But Ricketts did not change his opinion and he expressed his views in favour of the Hindustani once again in his report on the administration of the province in 1853.

REPORT OF HENRY RICKETTS, 1853

Towards the end of 1853, Henry Ricketts, the member of the Board of Revenue, visited Orissa and recorded his opinion on various matters relating to the administration of the province.[2] His report on the administration of civil justice in Orissa is quite illuminating. The civil courts of three districts of the province were the courts of the Judge and the principal sadar 'amin' at Cuttack, the courts of a sadar 'amin' and a 'munsiff' at Balasore, and courts of four 'munsiffs' stationed at Cuttack, Puri, Kendrapara and Dhamnagar. According to his report, the number of cases disposed of in the last year was as follows :-

	Decided on trial	*Disposed of*
Judge	48	60
Principal Sadar Amin	160	180
Sadar Amin	30	36
Munsiffs	1492	2132[3]

[1] BRR, Letters issued in 1850-51, Vol. 105, pp. 53-8. Gouldsbury to Sadar Board of Revenue, October 8, 1850, No. 2241.

[2] Henry Ricketts, Report on the District of Cuttack, December 8, 1853.

[3] *Ibid.*, p. 73.

Ricketts found out that the work of the Judge's office was not at all heavy in regard to the administration of civil justice. Though the number of cases was not numerous, they were often of 'an exceedingly tedious nature.' Ricketts found that vakils in the court of the Judge pleaded in Hindustani. Of course, there was no one among them of any great ability and the Judge derived but little assistance from them in performance of his duties.[1] It is interesting to note that though Oriya was introduced in the courts from 1837, yet it could not replace Hindustani fully even after 16 years. Ricketts, therefore, restated his case that Hindustani should have been introduced as 'the language of the court and the people' instead of Oriya. But he did not suggest the change at that time as he knew well that the local authorities were opposed to his scheme. But he was never reconciled to the introduction of Oriya and believed that in course of time, 'English shall be the language of the courts and the people.'[2]

Ricketts noted with satisfaction that the number of civil suits for land, such as boundary disputes etc, was small. Such cases before all courts of the province were only 78 in 1850, 165 in 1851 and 77 in 1852. Such a record in a province which contained nearly two millions of people, almost all of them being in possession of land, was certainly spectacular. He attributed that result to the success of the land settlement of the province.[3]

Thus, the administration of civil justice in the province was, on the whole, successful. After the period of initial failure, the Government understood the difficulties of the people and modified the system accordingly. The Settlement of 1837-38 also minimised the points of disputes in land. Therefore, the number of civil suits was reduced to a great extent, and the administration of civil justice became easier than before. A single Judge with a few subordinate officers was able to conduct the judicial business of three districts of Orissa.

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1 Henry Ricketts, Report on the District of Cuttack, December 8, 1853, p. 74.

2 SRG, Bengal, 1853, No. XXX, Report on the District of Puri, Henry Ricketts.

3 Henry Ricketts, Report on the District of Cuttack, December 8, 1853.

4 Salt Monopoly I 1804-1828

GENESIS OF SALT MONOPOLY

The manufacture of salt was a flourishing industry all along the eastern coast of India. As a common day to day necessity of all people, trade in the article fetched good profits. The monopoly of salt trade even prevailed in Mughal times when it was assigned to a favourite or to the highest bidder. But it is believed that the monopolist in the Mughal times 'had neither the ability nor the organization to make his monopoly exacting.' The position changed after the British conquest. The servants of the East India Company carried on trade in this article paying only a nominal duty after their victory at Plassey. In 1765 Lord Clive formed an 'Exclusive Society' for inland trade in salt, betelnut, and tobacco which was confined only to the senior servants of the Company. The Exclusive Society for the first time established complete control on the manufacture of salt. In 1768 the Exclusive Society was abolished, but only 4 years later the Government once again assumed full control of the salt trade.[1]

In 1780 Warren Hastings, the Governor-General, reorganized the system on a new basis. He appointed several civil officers as Salt Agents of the Company and each officer remained in charge of one agency.* They advanced money to the manufacturers of salt or 'malangis' and stored salt and sold it to wholesale dealers at a price fixed by the Government. The

[1] N.K. Sinha (ed), *Midnapore Salt Papers*, pp. 1-4.

* There was no fixed limit of the area of the Agency. Towards the close of the eighteenth century and the beginning of the nineteenth there were several salt agencies in Bengal such as, Hijli (Midnapore district), Tamluk (Midnapore district), Salkia (Howrah district) Bhulua (Noakhali), Chittagong and Jessore. There was also an agency called Rai Mangal which was amalgamated with the 24 Perganas after some time—H.R. Ghosal, *Economic Transition in the Bengal Presidency (1793-1833)*, p. 104.

Company got enough profit from the difference between the price which was received from the wholesale dealers and the amount paid to the 'malangis' for the cost of manufacture. Lord Cornwallis introduced a new system of auction sales in limited quantities in lieu of the Warren Hastings system of sales at fixed prices in unlimited quantities. The new system was adopted with a view to remove any submonopoly that might be established by the wholesale dealers. Thus, the British Government had established a strict monopoly both over the manufacture and sale of salt in Bengal by the time of Lord Cornwallis.[1]

MARATHA SYSTEM AND BRITISH SALT POLICY

During the Maratha rule in Orissa, salt was manufactured in plenty in its coastal areas stretching from the lake Chilka to the river Subarnarekha. It was the usual practice for the merchants to advance money to 'malangis' for manufacturing salt and then they purchased such quantities of the commodity as were produced. If it did not cover the amount advanced, the balance of the money was recovered by instalments. The merchants exported salt to Bengal, Sambalpur, Berar and other places. The Maratha Government received only some duty from the salt merchants but did not establish any monopoly over the manufacture or sale of salt.[2]

The total quantity of salt exported annually from Orissa during the Maratha rule and the revenue derived by the Government from duties on salt are not known. However, there is little to doubt that the trade was extensive. One or two examples may be cited in support of such an assumption. Sambhu Bharati, a merchant of Cuttack, was engaged in salt trade and had several salt 'golas' (ware-houses) in different parts of the territories of the Raja of Khurda: He stood security to pay Khurda Raja's 'peshkash' to the Maratha Government which was 10,000 rupees on condition of being permitted to carry on his commerce duty free.[3] From a statement made by Rajaram Pandit, the Maratha Governor of Orissa in 1784, it is known that the revenue derived by the Government from salt trade with Bengal alone was 2 lakhs of

[1] N.K. Sinha (ed), *Midnapore Salt Papers*, pp. 4-6.

[2] *Calendar of Persian Correspondence*, Vol. IX, No. 605.

[3] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

rupees annually.[1]

The eagerness of the British to establish their control over the salt trade of Orissa after the introduction of salt monopoly in Bengal also suggest the extensiveness of the trade in Orissa. In Bengal the article was sold at a much higher price than Orissa as the British had established complete monopoly on its manufacture and trade. So they wanted, in the first instance, to check the smuggling of salt from Orissa into Bengal. In 1784, long before the British conquest of Orissa, an order was promulgated to the effect that no merchant except the Company itself would be allowed to import or sell salt in Calcutta.[2] By such an order the British Government in Bengal clearly intended to exclude the merchants of Orissa, from salt trade in Bengal and thus to give pressure on the Maratha Government to allow the Company to take control of salt trade in Orissa. Rajaram Pandit, the Maratha Governor of Orissa, quickly reacted to the British order and pointed out to the loss which it would inflict on his revenue. So he offered to sell the salt manufactured in Orissa at a cheaper rate to the Company. As an alternative he wanted that the merchants should be permitted to carry their salt to Calcutta and after paying the salt duty of the Company should be allowed to sell it at the market rate.[3]

In 1786 Rajaram Pandit received the terms of an agreement drawn up by the Governor-General for the sale of salt by the merchants of Balasore only. The British Government perhaps wanted to come to an agreement first with the merchants of Balasore as it was on the border of Bengal and salt was generally smuggled from Balasore to Bengal. Rajaram Pandit approved of the terms of the agreement as the interests of his Government was thereby secured. By the terms of the agreement, the salt contractors became subject to the orders of the British Commercial Resident of Balasore without whose 'parwana,' signed by himself and bearing the seal of the Company, no salt could be imported to Calcutta. The British Government declared that "if hereafter any salt shall be sold to any other

[1] *Calender of Persian Correspondence*, Vol. VI, No. 1242.

[2] *Ibid.*

[3] *Ibid.*

person or any obstruction shall be thrown in the way of the aforesaid gentleman's business the importation of the salt into Bengal shall be again prohibited."[1]

But the agreement did not work satisfactorily and smuggling was not checked. So in the middle of 1788, Rajaram Pandit was again requested by the British authorities 'to do his best to prevent the Maratha from smuggling salt into the Company's territories'. Finally in 1790 George Forster, an envoy of Lord Cornwallis, brought the matter to the notice of Maharaja Raghuji Bhonsle at Nagpur. He suggested that the English might be allowed to purchase all the salt that was manufactured in Orissa to the exclusion of all other purchasers. Raghuji did not agree with him on the ground that the English monopoly of trade would ruin native merchants completely.[2]

However, the existing agreements continued and the entire quantity of salt manufactured in the coastal region of Balasore was exported to Calcutta by the British Commercial Resident of Balasore.[3] Rajaram Pandit was requested to be particularly careful in preventing smuggling of the salt manufactured in Orissa into the Company's territories through 'the Western jungles or by any other route'.[4]

Thus, the British Government had an eye on the flourishing salt trade of Orissa and had tried to extend salt monopoly to the province even before its occupation.

EXTENSION AND ADMINISTRATION OF SALT MONOPOLY, 1804-1814

The British conquest of Orissa was closely followed by the extension of salt monopoly, in the first instance, to the northern division of Cuttack from the river Subarnarekha to the river Mahanadi. On May 4, 1804, a temporary regulation was enacted by the Governor-General in Council for management of the salt department in the above-noted region with its headquarters at Balasore. It reserved to the Government the exclusive privilege of manufacturing salt as a source of public revenue.[5]

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[1] *Calender of Persian Correspondence*, Vol. VII, No. 435.

[2] *Ibid.*, Vol. IX, No. 605.

[3] *Ibid.*, No. 1162.

[4] *Ibid.*, No. 698.

[5] BJ(C)P, No. 26 of September 5, 1805, Government to Commissioners of Cuttack, May 4, 1804.

The exportation of salt by land from Orissa to Midnapore or any other district was strictly prohibited. The exportation of salt by sea from Orissa, except on account of the Government, was also strictly prohibited. The regulation further provided that salt, attempted to be smuggled, would be confiscated.[1]

However, the regulation explicitly declared that no salt would be exported from the province to Bengal until the inhabitants were amply supplied with and the merchants for the internal trade with Nagpur and other parts were provided with their required quantities. It was also stated that all zamindars, merchants, raiyats, or other persons who had salt in their possession or wanted to manufacture it, were to receive one rupee for four maunds of the article. It should be of good quality when delivered and weighed off at the Government 'golas' or ware-houses.[2]

For the supply of salt to merchants, the regulation made elaborate provisions. The 'gumashtas', who were in charge of the Government salt 'golas', were directed to provide salt to the merchants upto 20 maunds at the rate of one rupee per maund. They were also required to issue a 'char chitty' or delivery order for the same to each merchant. That 'char chitty' was to be shown in the various 'chowkeys' or check-posts established in different parts of the province under salt regulation as a proof of legal transportation of the article. Any merchant, who was desirous of purchasing a greater quantity of salt than 20 maunds, was required to deposit the amount first in the salt department at Balasore. An order was then issued to the 'gumashta' of the 'gola' where the merchant might be desirous of receiving the salt. The merchant was to receive a 'rowanah' if the salt was required for consumption or sale in Orissa. If it was to be exported from the province not subject to the control of the Bengal Government, the merchant was issued two 'rowanahs'. Out of those two 'rowanahs,' one was to be delivered at one of the internal 'chowkeys' and the other at the mountain passes in the western border of Orissa.[3]

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[1] BJ(C)P, No. 26 of September 5, 1805, Government to Commissioners of Cuttack, May 4, 1804.
[2] *Ibid.*
[3] *Ibid.*

The regulation also made strict provisions for checking the smuggling of salt from the province. The smuggled salt was to be totally confiscated and any jamadar, peon or other officers on the Government, who would make a seizure of such salt, was to receive four annas per maund for every maund seized by their vigilance and also the fourth part of the value of every boat, bullock or other conveyance on sale.[1]

In November 1804, Robert Ker became the Collector and Magistrate of the northern division of Cuttack. For a time he also supervised the manufacture of salt in that division until the arrival of James King in 1806. The latter took over the charge as the first Salt Agent of the northern division of Orissa with his headquarters at Balasore.

On September 2, 1805, George Harcourt and John Melville, the British Commissioners in Orissa reported to the Government that the temporary regulation had fully answered the purpose for which it was intended. The initial success of the arrangement was evident from the accounts supplied by Robert Ker. During the year 1804, the net profit or revenue on the quantity of salt sold was sicca Rs. 43,435-11 annas. The amount advanced by Ker for the manufacture of salt in 1805 was sicca Rs. 43,000 and the net profit or revenue on the quantity of salt sold from January to the end of June 1805 was sicca Rs. 1,04,894-13 annas.[2] This success at the initial stage when the administrative set-up was not even properly organized convinced the British authorities of the high profit to be gained from the salt manufacture and trade. They took ample interest in the affairs of the department which soon became one of the principal sources of revenue to the Government of Orissa.

James King, the first Salt Agent in Orissa, controlled the manufacture of salt along the northern sea coast for a distance of about 100 miles. In 1807, there were 11 'aurangs,' as the salt enclosures were called, in this coastal region.[3] The salt

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[1] *Ibid.*

[2] BJ(C)P, No. 27 of September 5, 1805, Commissioners of Cuttack to Government, September 2, 1805.

[3] CSR, Acc. No. 9, Salt Agent of Cuttack to Board of Trade, July, 20, 1807.

was manufactured by the persons who were known as 'malangis' in Orissa. The area of each 'aurang' was extensive and generally it was covered with tall, coarse grass and scrub. The manufacture of salt in the 'aurangs' started in the month of December when the land had dried after the rains. The 'malangis' cleared the ground, built reed-huts, mounds and furnances, dug canals to carry the salt water from the sea. In the northern coastal region of Orissa, the manufactured salt was known as 'panga' for which a complicated process was followed. John Beams, a Bengal civilian, who served in Orissa for some years described the method as follows : "Channels are dug from the sea to small reservoirs dug—not in the sand, but in the muddy soil beyond. Then a mound about two feet high is made of earth and grass mixed. On the top is placed a large earthen vessel pierced with holes. A layer of grass and twig is placed in the vessel, and on this again a thick layer of mud from the surrounding soil, which is largely saturated with saline matter from being constantly submerged by the sea. Water from the reservoir is then poured in till the vessel is full. This sea-water filtering through the saline earth becomes more salt than it was before, and the strong brine thus made is drawn off through a bamboo pipe into a second vessel. Close by is a rude, dome-shaped furnace consisting of a hole in the ground surmounted by a cupola, formed by fixing together with mud a large number of egg-shaped jars with their mouths outwards. These are all filled to the brim with the brine. Then a fire is lighted inside and fed with the tall, dry grass which grows around, till all the water in the jars has been boiled away. The crystals of salt are then scraped out and piled on mats for transport to the gola."[1]

The quantity of salt manufactured in the 'aurangs' rapidly increased under the supervision of James King. In 1807, he informed the Board of Trade that he would be able to transport 90,000 maunds of salt from his agency.[2] One year after in 1808, James King was able to provide 1,50,000 maunds of salt for the Calcutta market.[3] Only three years after, he wrote

[1] John Beames, *Memoirs of a Bengal Civilian*, p. 208.
[2] CSR, Vol. 24, Board of Trade to Salt Agent of Cuttack, August 27, 1807.
[3] *Ibid.*, August 1, 1808.

to the Board of Trade that there was every prospect of realizing 4 lakh maunds of salt in his agency.[1]

DIFFICULTIES IN MANUFACTURING SALT

The British authorities had to face certain difficulties in the initial period of their salt monopoly in Orissa. The main problem arose over the question of settling terms with the zamindars in whose estates salt 'aurangs' were situated. Before the British conquest of Orissa, the zamindars in the sea coast made large profits from the manufacture of salt and its trade. On February 27, 1804, Captain Morgan, who first occupied Balasore gave a report about their system to the Commissioner of Cuttack.[2]

The zamindars in the coastal region took active part in the manufacture of salt. Towareds the close of the rainy season they usually summoned raiyats from every village under their control who could be engaged in the said purpose. Merchants from different parts of the country usually made some agreement with the zamindars to get their required quantity of salt. It was to be delivered in temporary 'golas' which they erected for that purpose. They also made some advances in cash to the 'malangis' or manufacturers of salt for making necessary preparations and for their cost of living in the 'aurangs.[3]

At the close of a season, three or five merchants with the same number of zamindars used to assemble for fixing the price of salt manufactured during that season. It varied according to the situation and distance of the 'golas' from the places of manufacture. The zamindars got a share in the profit from salt trade.[4]

When the British monopoly was introduced, the zamindars were deprived of their profit from the salt trade. But they made oppressive demands on the 'malangis' who manufactured salt in their zamindaris on the Government account. James King, only a few months after he had taken over the charge of salt agency in Orissa, reported the matter to the

[1] *Ibid.*, Acc. No. 531, Salt Agent of Cuttack to Board of Trade, January 11, 1811.

[2] CSR, Vol. 24, Morgan to Commissioners of Cuttack, February 27, 1804.

[3] *Ibid.*

[4] *Ibid.*

Government.[1] He pointed out that the 'malangis' of his agency were carrying on the manufacture under very discouraging circumstances as they were subjected to 'oppressive exactions of the numerous petty zamindars'. He saw that the zamindars had enough of control over the 'malangis' who were only poor raiyats of their zamindaris. The amount received by the 'malangis' for the salt delivered at the Company's 'golas' was barely sufficient to answer the exorbitant demands of the zamindars. Even some instances came to his knowledge where the sums collected by the zamindars on account of land etc. exceeded the full value of salt manufactured by the 'malangis'. He suggested that every practicable means of relieving the 'malangis' should be adopted by the Government.[2]

In September 1806 James King again brought the matter to the notice of the Government. He was sure that the zamindars extorted as large a sum from the 'malangis' as they could be compelled to pay. He further reported that the 'malangis' were deterred from engaging in the manufacture due to the 'violence and oppression' of the zamindars. So he recommended that the collection of land revenue within the limits of the salt 'aurangs' in Orissa should be placed under the Salt Agent until a final settlement could be made with the zamindars. He even suggested that it would be expedient to enact a regulation by which the zamindars could be convicted for extorting money from the 'malangis'.[3]

The Government could not take any immediate decision on the matter. In 1807 James King was authorized to grant only to the zamindar of Kujang 665 maunds of salt in a year in lieu of his indefinite demands on the 'malangis'. But this specific grant did not solve the problem. However, the 'malangis' of very productive 'aurangs' were protected against the exactions of the zamindar.[4]

In 1808, James King suggested that the salt lands in the coastal region should be transferred from the zamindars to

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1 CSR, Acc. No. 9, J. King to Board of Trade, April 1806.

2 *Ibid.*

3 CSR, Acc. No. 531, Salt Agent of Cuttack to Board of Trade, September 6, 1806.

4 *Ibid.*, Vol. 24, Board of Trade to Salt Agent of Cuttack, March 12, 1807.

the Salt Department.[1] But no decision was promptly taken on this matter. James King continued to negotiate with the zamindars to find out a solution of the problem. Finally an agreement was reached with them by which they made over their salt and fuel lands to the Government for payment of 1½ annas per maund on all salt manufactured within their estates. They also abandoned all rights to interfere with the 'malangis'. In 1811 James King recommended that in addition to the grant of 1½ annas per maund, the zamindars should receive certain quantity of salt as 'khorakee' or diet allowance for the use of their families, This was also sanctioned by the Government. The quantity allowed to each zamindar was somewhat arbitrarily allotted at that time and varied considerably in different estates.[2]

Another difficulty which James King had to face was the problem of fixiag the price of salt to be paid to the 'malangis' for its manufacture. The temporary regulation enacted in 1804 had fixed the price of salt to be paid to the 'malangis' at the rate of 25 rupces per 100 maunds. But this rate of payment was not at all profitable to them as they had to pay a large amount to the zamindars for the revenue of salt lands and fuels etc. Naturally they were unwilling to come forward for taking advances for manufacturing salt. James King, of course, could not precisely ascertain the profit derived by the 'malangis' from the manufacture of salt, yet he reported to the Board of Trade that, on the whole, the amount was not sufficient to induce them to undertake the work ungrudgingly.[3]

The Government was willing to enhance the price paid to the 'malangis' in order to encourage the production of salt. But it was felt that the extra price paid to them would only be extorted by the zamindars if they were left to realize their land revenue from the 'malangis'. So the Government wanted that the terms should be settled first with the zamindars. When that was decided in 1811, the price paid to the

[1] *Ibid.*, Acc. No. 531, Salt Agent of Cuttack to Board of Trade, July 25, 1808.

[2] PP, HC, 1856, Vol. 26, Report of the Commissioner on Salt in British India, Part III, Bengal, Appendix C, No. 3.

[3] CSR, Acc. No. 531, Salt Agent of Cuttack to Board of Trade, July 25, 1808.

'malangis' was raised to Rs. 35 per 100 maunds.[1]

Thus, by 1811 the initial difficulties were solved, and the salt monopoly was firmly established in the northern part of Orissa from the river Subarnarekha to the river Mahanadi. So in 1812 the Salt Agent and the Board of Trade recommended to the Government of Bengal for extending the salt monopoly to the southern part of the province. By the regulation 22 of 1814, passed on November 4, 1814, the manufacture of salt on behalf of the Government was extended to the southern part of Orissa. All salt regulations of Bengal were also enforced in Orissa by the said regulation. By the end of 1814 the British salt monopoly was fully established over the whole of Orissa.

ADMINISTRATION OF SALT MONOPOLY, 1815-23

From 1815 to 1823, the salt monopoly in Orissa was administered by a single Salt Agent with his headquarters at Cuttack. The immediate effect of the Government monopoly was a sudden rise in the price of salt. The enhanced price of salt was found to be one of the main causes of popular dissatisfaction which led to the Rebellion of 1817, only two years after the extension of salt monopoly to the whole of Orissa. Walter Ewer, who was appointed as the special Commissioner to find out the grievances of the people, reported that the operation of salt monopoly was one of the measures which affected the happiness and prosperity of the Oriya people under the British administration.[2]

The temporary regulation introduced in 1804 fixed the selling price of salt at the rate of one rupee per maund for the merchants.[3] But James King, the first Salt Agent, found the rate to be too low and suggested for raising it to two rupees per maund.[4] Consequently in 1806 the price was fixed at two rupees per maund in the northern aurangs and one and a half rupees in the aurangs of Kanika and Kujang. He further reported that the selling price of salt in Orissa was rather moderate and it should not be considered as a bur-

[1] BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.
[2] *Ibid.*
[3] BJ(C) P, No. 26 of September 5, 1805, Government to Commissioner in Cuttack, May 4, 1804.
[4] CSR, Acc. No, 9, King to Board of Trade, April 1806.

densome tax. He contradicted the report of Melville, one of the Commissioners of Cuttack in 1805, that the price of salt could not have exceeded five annas per maund during the Maratha period. He argued that the duties collected by the public officers of the Maratha Government would have greatly enhanced the price of salt so that the inhabitants of the remote parts of Orissa probably paid as high or perhaps a higher price for salt than they did pay under the British rule.[1] In 1813 the sale price was raised to two rupees in the aurangs of Kanika and Kujang and in 1814 that price was enforced throughout Orissa.

When the merchants purchased salt at the rate of two rupees per maund from the 'golas' or store-houses of the Government, they must have sold it at a much higher rate to the people by adding the cost of transport and their profits. Naturally it caused hardship to the people who really never paid so high a price for purchasing salt and thus it was a cause of their dissatisfaction against the British. In 1817 when the Rebellion broke out, the Government was alarmed and wanted to ascertain the effect of their different administrative measures on the people. Salt monopoly which was an innovation of the British in Orissa came under searching enquiry and the Government tried to find out how far it had really affected the common people.

On May, 18, 1817, Charles Becher, the Salt Agent of Orissa, sent his report to the Board of Trade on the matter. He stated that the average retail price of salt in the province was three rupees four annas per maund. He further calculated that supposing ½ chhatak* to be the daily consumption of salt by an individual, the expense per annum would be only 14 annas and 7 pies. It appeared very improbable to him that for such a small expense "a whole country should assemble arms against the State or that the present Insurrection should be attributed to the price of salt, or the difficulty of obtaining it." Of course, Becher did not take into consideration the low price of other different articles of common necessity during

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[1] CSR, Acc. No. 531, King to Board of Trade, September 6, 1806.

* Chhatak is 1/16th part of a seer.

that period in Orissa.* He only compared the price of salt in Orissa with that of Bengal and pointed out that in Bengal it was nearly double the rate of Orissa. Therefore, he did not consider the high price of salt as a source of grievance in Orissa.[1]

There was another complaint of the people regarding the administration of salt monopoly in Orissa. The Government exercised full control over the manufacture of salt and sold it only to the wholesale dealers. But the people faced much difficulty in procuring salt from the merchants even at a high price. Perhaps the quantity bought by the merchants was insufficient compared to the necessity of the total population. The Government did not look into the matter and failed to ensure if the public sale was sufficient enough to meet the demand of the people.

Becher, however, argued that it was in the interest of the Salt Agent to extend his public sale of salt to the utmost, and that such sales had in fact increased inspite of temporary fluctuations. He submitted the following statement in support of his views.

Quantity of Salt Sold

In 1811	...	Maunds 1,06,326-39-8
1812	...	1,23,867-23-8
1813	...	1,29,447-20-8
1814	...	1,10,957-23-12
1815	...	1,82,914-12-0
1816 ...	...	1,59,233-32-8[2]

Even according to this estimate, the quantity of salt sold in the province for the last three years (1814 to 1816) amounted, on an average, 1,51,035 maunds only. It was sufficient upon a calculation of the daily consumption of each individual at ½ chhatak for 5,37,013 persons per annum only. But according

* See the Apendix II for wholesale rates current in the Mofussil for various articles of common consumption between the years 1811 and 1817, as furnished by the Police Darogahs.

1 Orissa Records, Vol. II, Becher to Board of Trade, May 18, 1817, pp. 52-7.

2 *Ibid.*

to a conjectural estimate of John Richardson, the Settlement Commissioner, the population of Orissa, was 14,62,500 in 1815[1]. So it was obvious that a large number of people did not get the article from the public sale of the Government.

Enquiry conducted by Ewer revealed other shortcomings as well. He brought to the notice of the Government that the salt during the Maratha rule was sold at the rate of 3½ to 4 annas per maund or less than one 'kahan' of 'kauris at the place of manufacture. It might have been sold by the merchants at best at the rate of three 'kahans' per maund in the interior parts of the province. The price of salt in 1817 was upwards of 24 'kahans' of 'kauris' per maund which was more than 6 times the average rate under the Maratha Government. Particularly as regards the southern part of the province, Ewer remarked "the cost of that essential article of consumption rose suddenly and instantaneously from 5 to 6 times its former rate on the passing of Regulation XXII of 1814."[2]

Ewer challenged the views of Becher that the people faced no difficulty is procuring salt and the quantity of the public sales was sufficient for consumption of the total population of Orissa. According to Ewer's calculation, at the rate of one half chhatak per day for an individual an annual supply of nearly three and a half lakhs of maunds of salt were required for the province. But the Government supply was, as it had been noted earlier, much less and even if the people consumed only one-fourth instead of half chhatak of salt per day, "there would still be nearly a third of what I think myself justified in considering as the amount of the population unsupplied from the Government stores". This led Ewer to assume the existence of smuggling to an extent unknown elsewhere inspite of the checks established to restrain it.[3] He concluded : "I certainly believe the salt monopoly to be a real and unexaggerated grievance to the inhabitants of a large part of the district, and that the introduction of it with its consequences has materially curtailed the already scanty

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1 BRP, No. 29 of March 18, 1815, Richardson to Government, December 20, 1814.

2 BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

3 *Ibid.*

comfort and circumscribed enjoyments of the Ooriah ryot."[1]

William Trower, the then Collector of Cuttack, fully agreed with the views of Ewer. He found that the merchants retailed salt at an exorbitant price. There was also inadequate supply as sufficient number of shops were not established in the villages. He even reported that "during my tour of the District it was with the greatest dfficulty I could procure sufficient salt for the daily consumption of my camp". It is obvious from this statement that the complaint of the people was not at all exaggerated. Trower was certain that "the cry for salt is general throughout the District. Not only is the high price complained of, a price, which is said to preclude the lower classes of people from purchasing it, but the difficulty of procuring it, even by those who can afford to pay for it."[2] Thus the early management of salt monopoly, like that of the land revenue, was disastrous to the people as it was conducted by "the fatal policy of a too sudden leap from one extreme to the other."[3]

As regards remedies, Ewer suggested that a considerable reduction of price was the foremost necessity. He proposed for restoring the sale price to one and a half rupees in the central 'aurangs' of Kanika and Kujang and for fixing one rupee per maund as the rate at places of manufacture south of the river Debi. For Khurda he suggested the rate of only 8 annas per maund in consideration of the peculiarly wretched state of that "suffering and exhausted district." Thus, he advocated a graduated scale of price for the province which would vary from two rupees to eight annas.[4]

In 1818 the Government decided to change the administrative set-up in Orissa and appointed a Commissioner with the powers of general control over all departments of the province. He was required to carry out active measures of reform in different administrative branches to pacify the people and remove their grievances which had led them to the Rebellion of 1817. Robert Ker, the first Commissioner, took much

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1 *Ibid.*
2 BRP, No. 38 of October 24, 1817, Trower to Board of Revenue, May 13, 1817.
3 G. Toynbee, *A Sketch of History of Orissa (1803-1828)*, p. 70.
4 BRP, No. 15 of July 17, 1818, Ewer to Government, May 13, 1818.

interest in redressing the popular discontent against the salt monopoly. To reduce its price, more salt on easier terms than before was supplied by the Government. Throughout 1818 and 1819, salt was sold at the uniform rate of 2½ rupees per maund. The quantity of salt sold in the province also increased considerably within a short period. When in 1816-17 the quantity was about one and a half lakhs of maunds, it had increased to 2,16,416 maunds in 1818-19.[1]

Ker also took effective measures to improve the system of sale by the Government. Previously salt was sold to the merchants only at the 'aurangs' along the sea coast of the province. They were allowed to purchase only above 20 maunds to any extent and so the retail dealers charged high price for it in the interior of the province.[2] During the administration of Ker in 1818-19, 9 'golas' or store-houses were constructed at different parts in the interior of the province for the convenience of retail sale. The article was disposed of in quantities as small as one maund. The rate charged for it varied from two rupees three annas to two rupees six and a half annas per maund (the Government price of two rupees per maund plus the charges of transportation and storage etc.). Salt was also sold in the same manner and under the same rules at most of the preventive 'chowkeys' in the province which were thirty in number. Ker was particularly of opinion that the high price of salt under the British Government was not the grievance felt so much as the oppressions and harassing interference of the officers appointed to restrain smuggling. Therefore, it was necessary that the Salt Agent should exercise a very strict control over the conduct of his 'gola' and 'chowkey' officers. They should be prevented from charging fraudulently a higher price than the authorized rate.[3] Ker's vigilance improved the administration of the department and ameliorated the grievances of the people.

In May 1819 the Government of Bengal established a new Board for the administration of salt monopoly in the Presi-

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[1] BRP, No. 25 of May 19, 1820, Stirling, Secretary to Commissioner to Blunt, February 29, 1820.

[2] Orissa Records, Vol. II, Becher to Board of Trade, May 18, 1817, p. 53.

[3] BRP, No. 25 of May 19, 1820, Stirling to Blunt, February 29, 1820.

dency. It was known as the Board of Customs, Salt and Opium and was created by taking out 'Customs' from the Board of Revenue and 'Opium' and 'Salt' from the Board of Trade. The new Board, of course, brought no change in the administrative set-up of the salt department in Orissa. As usual, the Salt Agent and the Commissioner administered the salt monopoly in the province.

Besides the creation of a new Board, a new regulation was also passed in 1819 which rescinded the regulation 22 of 1814 and consolidated all rules for the administration of salt monopoly in the Presidency. The new regulation (regulation 10 of 1819) laid much emphasis on the prevention of smuggling of salt. It provided that all native officers of the Government including the village police officers should aid in the suppression of illicit manufacture by giving information to the authorities. Any wilful neglect of that duty was to be punishable by fine and even dismissal from office. It was also stated that all salt exceeding 5 seers which would be found within the limits of salt 'chowkeys' unprotected by a 'rawanah', 'char chitty' or special pass from the Board of Customs, Salt and Opium would be declared contraband, seized and confiscated. The owners and persons, in whose possession it might be found, were to be liable to a fine of five rupees per maund. The boats or bullock carts which carried the contraband salt were also to be seized and confiscated.[1]

The regulation made strict provisions in matters relating to transportation of salt from Orissa. No salt was to be exported by land from the province to Midnapore or other districts under the Presidency. Salt transported in breach of this rule was to be confiscated and the proprietor was to be subjected to a fine of ten rupees for every maund of salt. Likewise, no salt was to be exported by sea from Orissa, except on account of the Government, and any breach of the rule would lead to similar punishment.[2]

When regulation 10 of 1819 was enforced in Orissa, the Government became very particular about the provincial sale of salt and thoroughly scrutinized the works of subordinate

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[1] H. Shakespear (Compiler) *An abstract of the Regulations of Government*. Vol. IV, p. 84.

[2] *Ibid.*

officers in the department in order to check smuggling effectively. The duties performed by the subordinate officers in 'golas' and 'chowkeys' were elaborated by a set of complicated rules. In August 1820 Charles Becher, the Salt Agent, submitted a detailed report regarding their work in the management of provincial sales to the Commissioner of Cuttack for his information.[1]

The merchants, who carried salt beyond the Mughalbandi, were granted 'rowanahs' by the two sadar officers of the Salt Department at Cuttack and Balasore. 'Rowanahs' were examined by the 'Chowkey' officers while the salt was in transit and duty was endorsed as correct in conformity with the regulations. The same rule was followed for salt sold within the jurisdiction of the 'chowkeys' where the quantity exceeded 10 maunds. But the greater portion of the salt sold from the 'golas' was covered by 'char chitties' issued for quantities below 10 maunds. The 'char chitties' were the delivery orders like 'rowanahs' issued for the transit of salt from 5 seers to 10 maunds. They were signed and issued by the 'gola' darogahs and 'chowkey' darogahs. Those documents issued by the 'gola' officers were limited in their application to salt sold within the Mughalbandi, and the same issued by the 'chowkey' officers were confined to the range of their own jurisdiction in conformity with the regulation 10 of 1819.[2]

The proprietor of a 'rowanah' or 'char chitty' was bound to conform strictly to certain rules under penalty of confiscation in case of failure. The proprietor was required to keep his 'rowanah' or 'char chitty' in personal possession in order to produce it before the public officers on demand. He was to keep also a regular written account of the sale of salt on daily basis so as to be always prepared to render an account of his salt. He was further required to keep his salt where public officers might at all times inspect it. Small retail sales of salt below 5 seers from these 'rowanahs' and 'chars' were not to be covered by 'chars' or liable to confiscation.[3] The said regulation continued as the basis of administration of salt

[1] CSR, Acc. No. 531, Becher to Stirling, August 31, 1820.

[2] *Ibid.*

[3] *Ibid.*

monopoly in Orissa for a long time.

William Blunt who succeeded Robert Ker as the Commissioner of Cuttack in 1820 was much anxious to see that the salt monopoly of the Government did not affect the comfort of the people. He did not like over scrupulous and too strict an observance of the regulations for the sale of salt and suggested modifications in the rules for convenience of the people. Becher, the Salt Agent, pointed out that Blunt's anxiety was unjustified and the people only exaggerated their grievances with the hope that the Government would give up monopoly.[1]

Becher compared the Orissa system with that of Bengal and showed how the former was more advantageous to the people. In Bengal the sale of salt was subject to much vexatious scrutiny which was not adopted in Orissa. In order to improve the management of 'chowkey' system, he suggested that a Superintendent of Chowkeys might be appointed as in Bengal and the Salt Agent should be relieved of those duties in order to concentrate his attention on the manufacture and sale of salt only. As regards the price of salt, Becher stated that previous to the disturbances in 1817 the article was selling all over the province at least 25% higher than the new rate. Thus, in his opinion, there was no ground for any genuine cause of complaint by the people against the monopoly.[2]

In the meanwhile, the quantity of salt manufactured in the 'aurangs' of Orissa had increased considerably. In the season of 1820-21, Becher reported that 9,88,300 maunds 9 seers and 9 chhataks of salt had been produced out of which 7,76,641 maunds 39 seers and 9 chhataks were 'panga' salt and 2,11,658 maunds 10 seers were 'kurkutch' salt.[3] Panga was manufactured mainly in the northern coastal region of Orissa and the process of its manufacture had already been noted earlier. Kurkutch was produced mainly in the southern 'aurangs' of Orissa and its process of manufacture was rather simpler than that of 'panga'. In the words of John Beams, "In this method, large shallow pans are dug in the

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[1] CSR, Acc. No. 531, Becher to Blunt, August 15, 1821.

[2] *Ibid.*

[3] CSR, Acc. No. 531, Becher to Pakenham, Officiating Commissioner of Cuttack, December 28, 1821.

sand on the foreshore and sea-water is let into them by channels at high tide. The heat of the sun evaporates the water, leaving the pans thickly encrusted with crystals of salt. It is then scraped off and stored in warehouses. It is a dirty, coarse stuff and not very strongly flavoured."[1]

Out of the huge quantity of salt manufactured in Orissa, about two-third was exported to the Government 'golas' at Sulkia in the bank of river Hugli opposite Calcutta. In 1818-19, 6,13,763 maunds of salt were exported to Sulkia for public sale.[2] The rest was sold in the province for consumption of the people in the Mughalbandi and for exportation by land beyond the Mughalbandi to the Tributary Mahals. The Calcutta merchants apprehended that their trade in Bihar might be affected by transmission of the salt from Orissa by land and they reported the matter to Charles Becher, the Salt Agent of Orissa. However, Becher pointed out that there was no cause for apprehension as there was no such possibility of transmission of salt to Bihar through the Tributary Mahals of Orissa. In the sale of about two and a half lakhs of maunds of salt in the Mughalbandi, the total quantity destined for sale beyond the Mughalbandi appeared to be 47,840 maunds only. Naturally it scarcely seemed sufficient to answer the demand for the article within the Tributary Mahals and did not give scope for apprehension of supplanting the Calcutta merchants in any material degree in Bihar.[3]

To encourage the 'malangis' or manufacturers of salt for larger production, the rate of payment had been enhanced from 35 rupees to 40 rupees per 100 maunds of salt. In 1822, Becher recommended to William Blunt, the Commissioner, for a further increase of 5 rupees per 100 maunds of salt in some 'aurangs' where fuel was expensive. Of course, the total income of a 'malangi' in a season even at the proposed enhanced rate of 45 rupees per 100 maunds of salt was calculated to be only about 19 rupees. But Becher pointed out that the income was fully adequate for his maintenance and also it was much higher than what he received during the Maratha rule. Therefore, he suggested that it was quite unnecessary

[1] John Beams, *Memoirs of a Bengal Civilian*, pp. 207-8.

[2] BRP, No. 25 of May 19, 1820, Stirling to Blunt, February 29, 1820.

[3] CSR, Acc. No. 531, Becher to Stirling, August 31, 1820.

to make any increase beyond the proposed rates.[1]

In 1822, William Blunt, the Commissioner, proposed to dispense altogether with the interior 'chowkeys' and to give up all interference with the internal salt trade for convenience of the people. He believed that the restrictive effect of the 'chowkeys' brought much hardship on the people. But Charles Becher, the Salt Agent, did not agree with his views and so he did not support his proposal to abolish the 'chowkeys' altogether. He pointed out that with the exception of two or three 'chowkeys' which were situated near the 'aurangs', all others were established at about the same distance from the 'aurangs' as in Bengal. He was certain that their effect was not at all vexatious either to the trade or to the people. The system had been fully worked out from 1811 and after the disturbances in 1817, it was thought desirable only to revise the rules. As they had been gradually modified and toned down to a certain degree of relaxation after 1817, it was not necessary to revise them again. Becher pleaded that the system in force for controlling the trade and suppressing smuggling could hardly be considered as a grievance of the people in any way. Therefore, there was no necessity of any sacrifice of authority and control by abolishing the 'chowkeys' in the province.[2]

After the extension of monopoly beyond the river Mahanadi in 1814, the whole of Orissa was under the jurisdiction of a single Salt Agent who shouldered all responsibilities of manufacture of salt in the entire sea coast of Orissa from the river Subarnarekha to the lake Chilka. He also supervised the sale of salt and prevention of smuggling in the province and export of salt to Sulkia in Bengal. To lessen such huge burden of a single Salt Agent, and for better supervision and administration of the Agency, the Governor-General in Council decided to divide the Agency into two distinct divisions.[3] The Northern Division was to comprise the salt 'aurangs' from the river Subarnarekha to the river Dhamra and the Southern Division was to comprise all other

[1] *Ibid.*, Becher to Blunt, June 5, 1822.
[2] CSR, Acc. No. 531, Becher to Blunt, August 8, 1822.
[3] *Ibid.*, Acc. No. 575, Govt. of Bengal to Commissioner of Cuttack, July 24, 1823.

'aurangs' stretching from the river Dhamra to the lake Chilka. The division was finally given effect to on October 1, 1823.[1]

ADMINISTRATION OF SALT MONOPOLY, 1823-28
NORTHERN DIVISION

The Northern Division contained 8 'aurangs', such as Bolang, Sartha, Dasmolang, Panchmolang, Ankura, Chudamani, Dhamra and Chardia.[2] In the season 1823-24, the first year after the division, the Salt Agent made advances to the 'malangis' of these 'aurangs' for 3,32,000 maunds of 'panga' salt.[3] But the Agency was capable of producing larger quantities of salt than this and therefore, in the next season (1824-25) the estimate for the manufacture of 'panga' salt was raised to 4,26,000 maunds.[4]

The 'malangis' in this division were paid at the rate of 40 rupees per 100 maunds of salt. Of course, they had to give extra 15 maunds for payment of zamindars' revenue and for 'suktee' charges or loss of weight due to evaporation of water from salt. Besides the fixed rate, at times the 'malangis' were paid 2 annas extra per maund in order to increase its manufacture to the utmost extent.[5]

In 1823, there were 3 sale 'golas' in the division.[6] They were situated in the central places like Balasore, Soro, and Bhadrak and supplied the needs of the people at large. The rate was 2 rupees and 3½ annas per maund, 3½ annas were the charges of transportation from the 'aurangs' to the sale 'golas'.[7] The estimated sale of 'panga' salt in this division was on average 1,20,000 maunds per year. But the real sale, however, fell much below the average in some years.[8] In 1827, a new sale 'gola' was established at Basta. As salt from

[1] *Ibid.*, C. Becher, Salt Agent of Southern Division to J.H. Doyly, Salt Agent of Northern Division, September 26, 1823.
[2] CSR, Vol. 12, Becher to Doyly, December 15, 1823.
[3] BSR, Acc. No. 573A, Salt Agent of Balasore to Commissioner of Cuttack, November 8, 1823.
[4] *Ibid.*, September 17, 1824.
[5] BSR, Acc. No. 577, Blunt to Doyly, May 3, 1825.
[6] *Ibid.*, Acc. No. 573A, Salt Agent of Balasore to Commissioner of Cuttack, December 16, 1823.
[7] *Ibid.*, December 7, 1824.
Ibid.

the two northern 'aurangs', Bolang and Sartha, could not be easily transported to Bengal, the Commissioner ordered for the establishment of that new 'gola'.[1] When the new 'gola' supplied salt to the surrounding areas, the Government no longer felt the necessity for permitting the sale of salt at Rajghat 'chowkey' which formerly supplied it to the area. All persons and shopkeepers, who were supplied salt from that 'chowkey', were directed to the new sale 'gola' at Basta where the price was fixed at 2 rupees and 3½ annas per maund.[2]

In every year a large amount of salt was exported from the division to the Government sale 'gola' at Sulkia near Calcutta. In 1824, it was estimated to send 2,54,563 maunds of salt from different 'aurangs' of the division on Government account by the export contractors at the average rate of 16 rupees per 100 maunds.[3] The estimate for the next season increased to 3,25,000 maunds as the quantity of salt to be manufactured was also increased.[4]

At Sulkia salt was disposed of by auction sales in limited lots to the merchants. Naturally the price fluctuated throughout the year and was determined by the needs of the merchants. In March 1824, Balasore 'panga' salt was sold at the rate of Rs. 359-6-8 pies per 100 maunds. In the July sale, the price was raised to Rs. 394-6 annas.[5] In April 1825, the price was further raised to Rs. 411-8 annas.[6]

SOUTHERN DIVISION

The southern division contained 16 'aurangs' out of which 9 'aurangs' were known as the proper Cuttack 'aurangs'. They were, Mundamolang, Satbhaya, Northern Kanpur, Southern Kanpur, Bardung, Northern Dhobye, Southern Dhobye, Nor-

[1] *Ibid.*, Acc. No. 582, Commissioner of Cuttack to Salt Agent of Balasore, May 11, 1827.

[2] *Ibid.*, Acc. No. 588, Salt Agent of Balasore to Superintendent of Chowkies at Jaleswar, November 4, 1828.

[3] *Ibid.*, Acc. No. 573A, Salt. Agent of Balasore to Commissioner of Cuttack, August 23, 1824.

[4] *Ibid.*, September 17, 1824.

[5] BSR, Acc. No. 575, Secretary to Board of Customs, Salt and Opium to Commissioner of Cuttack, March 20, 1824 and August 17, 1824.

[6] *Ibid.*, Acc. No. 577, Commissioner of Cuttack to Salt Agent of Balasore, April 21, 1825.

thern Astarang and Southern Astarang.[1] The other seven 'aurangs' near the Chilka lake, such as Budgereate, Malud, Parikud, Satapara, Panushpada, Haridas and Bhusandpur, were known as the lake 'aurangs'.[2]

The lake 'aurangs' mainly produced 'kurkutch' salt which was of an inferior variety to that of the general produce of 'panga' salt in the division. The usual amount of production in the lake 'aurangs' was about 1,50,000 maunds of 'kurkutch' salt.[3] In other 'aurangs' of the division, a larger amount of 'panga' salt was produced. In 1825 the estimate of 'panga' salt was 3,91,305 maunds.[4] As the 'kurkutch' salt generally contained much impurities, it fetched low profit in the Calcutta market. So the Government decided to curtail its production and accordingly directed the authorities in Orissa that 'kurkutch' salt should not be manufactured beyond the demands of the province.[5] The discontinuance of its export to Bengal led to greater demand of 'panga' salt. Consequently, the manufacture of 'panga' salt was introduced in the lake 'aurangs' and much pressure was put on other 'aurangs' for larger production.[6] In 1826-27 the estimate of 'panga' salt was of 408,000 maunds exclusive of the lake 'aurangs', and the actual production was 4,32,000 maunds. The estimate for 1827-28 was further raised to 4,68,000 maunds of 'panga' salt.[7]

In 1826 the lake 'aurangs' were transferred from the Salt Agent of Cuttack to the control of the Joint Magistrate of Khurda for administrative convenience.[8] Besides those lake 'aurangs' the 'chowkey' darogahs of Gulbye and Kalapadar and the 'gola' darogahs of Puri, Pipli and Tangi were also

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[1] CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, June 16, 1828.

[2] *Ibid.*, Acc. No. 78, W. Dent to W. Wilkinson, October 29, 1826.

[3] *Ibid.*, Acc. No. 76, Commissioner of Cuttack to Salt Agent of Cuttack May 12, 1825.

[4] *Ibid.*, Secretary to Commissioner of Cuttack to Salt Agent of Cuttack, June 17, 1825.

[5] CSR, Acc. No. 441, Salt Agent of Cuttack to Commissioner of Cuttack, April 23, 1825.

[6] *Ibid.*, Acc. No. 78, Salt Agent of Cuttack to Commissioner of Cuttack, January 24, 1826.

[7] *Ibid.*, December 13, 1827.

[8] CSR, Acc. No. 78, Salt Agent of Cuttack to Joint Magistrate of Khurda, August 23, 1826.

directed to consider themselves entirely under the orders of the Joint-Magistrate of Khurda. The Salt Agent of Cuttack handed over all papers and accounts relating to these 'aurangs', 'golas' and 'chowkeys' to him. Thus the foundation was laid for the establishment of another separate salt agency in Orissa.[1]

The decision of the Government to discontinue the export of 'kurkutch' salt to Bengal created a serious problem for the 'malangis'. Becher, the Salt Agent of Cuttack, submitted a scheme to the Government in order to safeguard the interests of thousands of those poor people in the lake 'aurangs' who had literally no other means of obtaining their livelihood except the manufacture of 'kurkutch' salt. He proposed to supply the several sale 'golas' in the agency with large quantities of 'kurkutch' salt for consumption in the province. There were 8 sale 'golas' in the Cuttack agency, such as Cuttack, Burrah, Deatola, Kypara, Pipli, Puri, Khurda and Tangi. According to Becher's calculation, about 1,50,000 maunds of 'kurkutch' salt could be supplied for the provincial sale. It was to be retailed at the low rate of Rs. 1-4 annas per maund. As he had suggested earlier to the Commissioner that the retail price of 'panga' salt should be raised to Rs. 2-4 annas instead of Rs. 2, he believed that comparatively lower rate of 'kurkutch' would induce the inhabitants to prefer its use to 'panga'. Thus, the 'malangis' of the lake 'aurangs' would not be unemployed and also the annual supply of 'panga' salt for the Bengal market would be increased.[2]

Becher further suggested that the restriction to export 'kurkutch' salt to Bengal should be waived off under a positive understanding that all salt of that variety which might be exported would be free from impurities. He wanted to export only the best variety of kurkutch salt which was known as 'abra', for the production of which he wanted to pay the 'malangis' at the rate of 4 annas per maund whereas for ordinary 'kurkutch' the rate was only 3 annas.[3]

The suggestion for supplying the Government sale 'golas'

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[1] *Ibid.*, October 29, 1826.

[2] CSR, Acc. No. 441, Salt Agent of Cuttack to Commissioner of Cuttack, April 23, 1825.

[3] *Ibid.*

with 'kurkutch' salt for local consumption was approved of by the Government in 1825, and it was soon enforced. The Commissioner was of opinion that as a measure of expediency to wipe out dissatisfaction which was likely to be caused by substitution of inferior 'kurkutch' salt for local consumption in lieu of 'panga', the price of 'kurkutch' must be lowered and the difference of price with that of 'panga' should be such as to reconcile the consumer to the inferior variety. He wanted that it might not exceed 12 annas per maund at Khurda and one rupee at Cuttack for the same.[1] Becher, the Salt Agent, showed that the cost of production and the charges of transportation of 'kurkutch' salt from the 'aurangs' to the sale 'golas' were 13 annas 4 pies. So he suggested that one rupee per maund should be the retail sale price at all 'golas' and expected that there would be little demand for 'panga' salt when the rate of 'kurkutch' would be so moderate.[2] The rate was subsequently approved.

The quantity of salt sold in the division rapidly increased due to the low price of 'kurkutch' and also for better management of the 'chowkey' system which reduced smuggling. The total amount of salt sold during May 1823 to April 1824 was 1,78,183 maunds 33 seers 15 chhatak.[3] In 1824-25 the amount became 2,26,571 maunds, and it was further raised to 3,33,648 maunds in 1825-26.[4] The large sale of 1825-26 was mainly attributable to the low price of 'kurkutch' salt. The Salt Agent stated that the quantity sold would have been still greater, had it been practicable to transport salt to the different sale 'golas' promptly. It was not at all possible to satisfy the heavy demands of the merchants at the 'golas'. Consequently, they were allowed to purchase their required quantities from the landing places of the article near the lake 'aurangs'. The Salt Agent suggested that even the sale price of salt at those places should be fixed at one rupee per maund. He thereby desired to impose the extra charges of transportation on that price

[1] CSR, Acc. No. 76, Commissioner of Cuttack to Salt Agent of Cuttack, May 12, 1825.

[2] *Ibid.*, Acc. No. 441, Salt Agent of Cuttack to Commissioner of Cuttack, June 4, 1825.

[3] *Ibid.*, June 18, 1825.

[4] CSR, Acc. No. 78, Salt Agent of Cuttack to Commissioner of Cuttack, October 20, 1826.

when it was to be removed to any of the sale 'golas.'[1]

He further suggested that as the supply of 'kurkutch' salt would not exceed 2,00,000 maunds, its sale at the low rate of one rupee per maund should be restricted for the consumption of Mugalbandi alone, and as regards the supply of the article to the Tributary Mahals and Sambalpur, the price should be fixed at Rs. 1-4 annas or Rs. 1-8 annas per maund.[2] His suggestions, however, were not fully acted upon. The 'kurkutch' salt was retailed in the Khurda and Cuttack divisions at the rate of one rupee per maund to which was added the charges of transportation varying from 4 annas 6 pies to 6 annas 3 pies per maund.[3]

Besides the provincial sale, large quantities of salt were exported to Sulkia near Calcutta. In 1825 the agent expected to send about 4 lakhs of maunds of panga salt to Calcutta for sale.[4] The exportation mainly took place from Mundamolang, Hansuah and Metakua in the Cuttack agency. Also some amount of salt from this agency was exported from Dhamra of the Balasore agency. The exportation of salt was conducted through contractors like the Balasore agency and their boats engaged in the conveyance of the Government salt were properly checked before they were allowed to load the cargo.[5] The rate of salt sold in the auction sale at Sulkia varied according to the demands of the merchants. It was sold even at the low rate of 361 rupees per 100 maunds and rose upto 462 rupees for the same.[6]

By the end of 1828 the Supreme Government had decided to bring about certain administrative changes in Orissa. It also led to some changes in the administrative set-up of the salt department and instead of two agencies three agencies were established in the province under three Salt Agents.

[1] CSR, Acc. No. 78, Salt Agent of Cuttack to Commissioner of Cuttack, October 20, 1826.

[2] *Ibid.*

[3] CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, May 30, 1829.

[4] CSR, Acc. No. 441, Salt Agent of Cuttack to Commissioner of Cuttack, May 11, 1825.

[5] *Ibid.*, Acc. No. 78, Salt Agent of Cuttack to Deputy Master Attendent of Dhamra, October 31, 1825.

[6] *Ibid.*, Acc. No. 72, Commissioner of Cuttack to Salt Agent of Cuttack, July 21, 1824 and November 22, 1824.

5 Salt Monopoly II 1828-1858

On October 23, 1828, the Governor-General in Council decided to divide the province into three separate divisions which in course of time came to be known as districts. Each district remained in charge of a Collector who was also entrusted with the duties of a Salt Agent.[1] Thus, Orissa was divided into three salt agencies which were administered by the Collectors of Balasore, Cuttack and Puri. The administrative activities of those officers were coordinated by the Commissioner at Cuttack and supervised by the Board of Customs, Salt and Opium which functioned at Calcutta. The said Board controlled all salt agencies in the Bengal Presidency.*

MANUFACTURING CENTRES IN THE AGENCIES

The Balasore salt agency which extended from river Subarnarekha to river Dhamra was about 80 miles in length and had 8 'aurangs' or manufacturing centres in 1823 when it was separated from the Cuttack agency. Gradually the bigger 'aurangs', like Bolang, Sartha, Dasmolang, Chudamani and Dhamra were each divided into two separate 'aurangs' for better supervision and thus in the year 1839, there were 13 'aurangs' namely, Ratai, Bolang, Sartha, Chanua, North Dasmolang, South Dasmolang, Panchmolang, Ankura, North Chudamani, South Chudamani, North Dhamra, South Dhamra and Chardia.[2]

In the following year, however, two northern 'aurangs' at Ratai and Bolang and the southernmost 'aurang' at Chardia

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[1] BJ(C)P, No. 1 of November 27, 1828, Extract from Proceedings of Governor General in Council, October 23, 1828, No. 164.

* There were 7 agencies, such as, Puri, Cuttack, Balasore, Hijli, Tamluk, 24-Parganas, Chittagonj.

[2] BSR. Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 190.

were abolished on account of extensive smuggling of salt carried from those places.[1] The number of 'aurangs' was gradually reduced to 7 only. They were, Sartha, Chanua, Dasmolang, Panchmolang, Ankura, Chudamani and Dhamra.[2] As the demand for salt increased, the 'aurangs' at Ratai was revived and the total number of 'aurangs' was 8 in 1854.[3]

The Cuttack agency which stretched from river Dhamra in the north to river Debi in the south was about 70 miles in length. In 1829 it contained 9 'aurangs', such as, Mondamolang, Satbhaya, North Kanpur, South Kanpur, Bardung, Bakud, North Dhobye, South Dhobye and Harishpur. In 1846 a decision was taken to bring down the quantity of manufactured salt in Orissa due to a fall in public sale at Calcutta and therefore, steps were taken to reduce the number of manufacturing centres in the agency. The 'aurangs' at Bakud and Bardung were consolidated into one and was known as Bakud 'aurang'. So also, northern and southern Dhobye were consolidated into one and named as Southern Dhobye 'aurang'. The 'aurang' at Satbhaya was closed down. Thus, the number of 'aurangs' in the agency was reduced to only 6.[4] In 1852 the 'aurang' at Bakud was abolished. But two years after, when the necessity of producing larger quantities of salt was felt, the salt agent of Cuttack desired to reopen all the 'aurangs' which had been closed in the preceding years.[5] However, the Commissioner ordered for the revival of 'aurangs' at Satbhaya and Bakud only and thus in 1854, there were 7 'aurangs' in the Cuttack agency.[6]

In the Puri agency, there were 10 'aurangs' in 1829, of which 7 were on the shores of lake Chilka and hence were described as the lake 'aurangs'.[7] In course of time the number

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1 *Ibid.*

2 BSR, Acc. No. 718, Salt Agent of Balasore to Commissioner of Cuttack, September 19, 1849.

3 *Ibid.*, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 109.

4 CSR, Acc. No. 221, Commissioner of Cuttack to Salt Agent of Cuttack, September 22, 1846, No. 1712.

5 *Ibid.*, Acc. No. 288, Salt Agent of Cuttack to Commissioner of Cuttack, July 13, 1854, No. 120.

6 *Ibid.*, September 9, 1854, No. 155.

7 CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, September 22, 1829.

was reduced and in 1854 there were 8 'aurangs', such as, North Astarang, South Astarang, Basantpur, Haridas, Parikud, Malud, Gurbai and Satpara. The last 6 'aurangs' were the lake 'aurangs'.[1]

In all the agencies, each 'aurang' was divided into several subdivisions termed as 'bhowris'. Each 'bhowri' in turn contained a convenient number of 'chattis' and each 'chatti' a certain number of 'chulhas' or fire places. The salt manufactured in the 'aurangs' was of two kinds, panga or boiled salt and kurkutch or solar evaporation salt. The superior variety of kurkutch was known as 'abra'.[2] The lake 'aurangs' were the main producers of kurkutch salt in Orissa and other 'aurangs' generally produced panga.

PRODUCTION OF SALT FROM THE AGENCIES

The three agencies of Orissa were capable of producing huge quantities of salt of both varieties. Of course, the amount of production varied according to demands, both in view of local consumption and public sale at the Calcutta market leaving apart the seasonal calamities. In the season of 1836-37, the aggregate quantity of salt proposed to be manufactured by the agents was 9,65,000 maunds.[3] Out of the gross amount produced, the Balasore agency produced 3,99,436 maunds and 30 seers.[4] The average quantity of salt manufactured during six years, from 1840-41 to 1845-46 in the Balasore agency was 4,94,940 maunds and during the next six years, from 1846-47 to 1851-52, it was only 3,29,810 maunds, the manufacture being limited in consequence of large importations of foreign salt to Bengal and huge stock of Orissa salt in Sulkia 'golas'.[5]

In the Cuttack agency, the quantity of salt produced during the year 1827-28 was 5,27,165 maunds which included the pro-

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[1] PP, HC, 1856, Vol. 26, Report of the Commissioner on Salt in British India, Part III, Bengal, Appendix C, No. 3.

[2] *Ibid.*

[3] BSR, Acc. No. 641, Board of Customs, Salt and Opium to Government of India, December 14, 1836, No. 1218.

[4] *Ibid.*, Acc. No. 649, Salt Agent of Balasore to Commissioner of Cuttack, June 29, 1837, No. 110.

[5] SRG, Bengal, 1853, No. XXX, Report on the District of Balasore by Henry Ricketts, 1853.

duce of Astarang 'aurangs' of the Khurda division.[1] With the transfer of those 'aurangs' to the Puri agency from October 1, 1829, the estimate for the agency was reduced to 3,00,000 maunds in 1829-30.[2] It was raised to 4 lakhs of maunds in 1831-32.[3] But the Commissioner restricted its production to 3½ lakhs in 1834-35.[4] The question of further reduction of salt manufacture in the agencies of Orissa was discussed in 1839. But it was found that salt from Orissa could be landed at Sulkia 'golas' at much cheaper rate than salt from the agencies of 24-Parganas or Tumluk in Bengal. Consequently, the Government abandoned the idea of reducing the production. But in 1840 it fixed the maximum quantity of production to 13 lakhs of maunds for all the three agencies.[5]

The 'taidad' or the estimate of salt to be produced in a season was raised in 1842-43 by the Board of Customs, Salt and Opium. It approved of the Commissioner's allotment of 11,60,000 maunds of 'panga' salt for three agencies of Orissa. The Balasore agency was allotted 4,50,000 maunds, the Cuttack agency 4,00,000 maunds and the Puri agency 3,10,000 maunds. Besides the manufacture of 'panga' salt, the Puri agency was required to produce 3 lakhs of maunds of 'kurkutch' salt for local consumption.[6] The Board further instructed to raise the manufacture beyond the approved quantity if it was possible without any extra advance of money to the 'malangis'. However, in 1846-47 again the quantity of salt to be manufactured in the three agencies of Orissa was reduced to 6 lakhs of maunds of 'panga' salt. Out of this fixed 'taidad', the Balasore agency was allotted 2,50,000 maunds, the Cuttack agency 2,00,000 maunds and the Puri agency 1,50,000 maunds. Besides these quantities, 3,00,000 maunds of 'kurkutch' salt was to be produced in the Puri agency.[7] Subsequently the Salt Agent of

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[1] CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, February 10, 1829.

[2] *Ibid.*, September 22, 1829. [3] *Ibid.*, November 5, 1831, No. 283.

[4] *Ibid.*, Acc. No. 124, Salt Agent of Cuttack to Commissioner of Cuttack, November 29, 1834, No. 151.

[5] *Ibid.*, Acc. No. 164, Commissioner of Cuttack to Salt Agent of Cuttack, March 4, 1840, No. 888.

[6] *Ibid.*, Acc. No. 170, Board of Customs, Salt and Opium to Commissioner of Cuttack, September 19, 1842, No. 990.

[7] CSR, Acc. No. 227, Commissioner of Cuttack to Board of Customs, Salt and Opium, August 2, 1847, No. 1415.

Puri reported that about 4½ lakhs of maunds of 'kurkutch' salt was needed for local consumption and therefore, he was permitted to produce that quantity in his agency.[1]

The limited and fixed 'taidad' continued for some years as the public sale of Indian salt in the Calcutta markets fell due to the import of English salt from Liverpool at low prices. The quantity of imported salt increased rapidly and by 1851-52, it amounted nearly equal to half of the whole quantity of salt consumed in the Bengal Presidency. It so much affected the production of salt in Bengal that the salt agency of 24-Parganas was abolished in 1848 and the manufacture in Chittaganj agency was suspended in 1852.[2] The rest five agencies* of the Bengal Presidency continued to produce perhaps the minimum quantity of salt. Consequently, three Orissa agencies were allotted a fixed 'taidad'. But the situation changed after 1852 when the quantity of imported salt decreased. The agencies were permitted to raise the quantity of their production to the maximum extent possible. The salt producing capacity of three Orissa agencies were best expressed in the out-turn of 1853-54. The estimate of salt to be produced during that season was 19,63,000 maunds of both 'panga' and 'kurkutch'. The actual amount of production came up to 16,88,564 maunds of which 6,72,999 maunds were produced in the Balasore agency, 3,00,508 maunds in the Cuttack agency and 7,15,057 maunds in the Puri agency.[3]

MALANGIS AND THEIR CONDITION

The manufacture of salt was conducted by close supervision of the Salt Agents who were also the Collectors of revenue. However, the immediate control and responsibility for production rested on the shoulders of the 'aurang' darogahs. The pay of 'aurang' darogahs varied from Rs. 40 to Rs. 70 per month according to the extent of areas placed in their control. Under the darogahs, there were a number of contractors or

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1 *Ibid.*, August 7, 1848, No. 1327.

2 PP, HC, 1856, Vol. 26, Report on salt in British India, Part III, Bengal, p. 151.

* Puri, Cuttack, Balasore, Hijli and Tamluk.

3 PP, HC, 1856, Vol. 26, Report on salt in British India, Part III, Bengal, Appendix C, No. 3.

'Chooleas' with whom the Government entered into an annual contract for the supply of certain quantity of salt known as 'taidad'. These 'taidads' varied from 30 to 700 maunds and the contractors employed the required number of labourers or 'malangis' for the manufacture of the same.[1]

These 'malangis' were the real community who manufactured salt for the Government. Two advances were given to them during one season. Before the beginning of the manufacturing season they were paid the first advance through their 'chooleas'. In the middle of the season, they were paid the second advance according to the quantity of salt produced by them, and in the end of the season, their accounts were finally settled. The price paid to the 'malangis' for the manufacture of salt varied at different periods. In 1826 the payment was fixed at Rs. 50 per 115 maunds of salt. Besides the payment, each 'malangi' was allowed to take two pots of salt monthly for his own use. This amounted to about 2 maunds for each 'malangi' in one season.[2]

The Government also came to their rescue in times of seasonal calamity. In a severe cyclone of October 31, 1831, the 'malangis' of Balasore and Cuttack agencies suffered heavy loss. In the Balasore agency alone, the number of human beings connected with the salt department who were drowned was 1,889 of which 28 were servants in the establishment and the rest were 'malangis'. The amount of salt swept away by the sea was 2,13,837 maunds.[3] In the Cuttack agency, the loss was equally severe. The Government, therefore, promptly came to the rescue of the 'malangis'. Money was distributed and 'aurang' darogahs were asked to retail rice to them at cheap rates.[4]

At times the Government made additional payment to the 'malangis' over and above the fixed rate for extra production of salt. In 1833 the Salt Board directed all salt agents of Bengal to make an additional payment of two annas per maund for

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1 *Ibid.*

2 BSR, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 109.

3 *Ibid.*, Acc. No. 602, Commissioner of Cuttack to Board of Customs, Salt and Opium, February 6, 1832, No. 13.

4 CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, February 9, 1832, No. 16.

all salt to be manufactured after March 15 of the year. Also a further payment of one anna per maund was to be made for all salt delivered in excess of the 'taidad' of the year.[1] In the following year the 'malangis' of Cuttack agency made a representation to the Salt Agent in which they stated the extreme wretchedness of their condition in consequence of a succession of unfavourable seasons and failure of crops due to drought. So they solicited favourable consideration from the Government for additional payment and wanted that the concession of the preceding year should be extended to them. The Salt Agent was convinced of the prevalence of scarcity in the salt producing areas and assured the 'malangis' that the sanction of the superior authority would be sought for an additional remuneration of two annas per maund of salt produced after May 1 of the year. Such encouragement induced the 'malangis' not only to complete the 'taidad' but also to produce extra quantities.[2]

In 1836 the payment to the 'malangis' was fixed at Rs. 52-1-4 pies per 100 maunds of salt.[3] But they had, in fact, to deliver 115 maunds of salt. The extra 15 maunds were charged for wastage in transportation and also for payment of zamindar's land revenue. From that year the 'malangis' were deprived of their 'khoraki' salt or salt which they took for their personal consumption. They were required to buy salt from 'chowkeys'.[4] The measure must have entailed much hardship on them. It was further aggravated by the reduction of price paid to them. In 1838 the Government decided to reduce the amount in order to bring down the cost of production and raise the net profit. It was reduced to 5 annas per maund of salt. Of course, the Government gave up the claim for wastage allowance etc. The Salt Agent of Cuttack even suggested to reduce the price to 4 annas only in order to convince the authorities that his agency was capable of producing salt at the cheapest rate.

[1] CSR, Acc. No. 113, Commissioner of Cuttack to Salt Agent of Cuttack, March 12, 1833, No. 40.

[2] *Ibid.*, Acc. No. 109, Salt Agent of Cuttack to Commissioner of Cuttack, July 15, 1834, No. 89.

[3] *Ibid.*, Acc. No. 124, Salt Agent of Cuttack to Commissioner of Cuttack, July 8, 1836, No. 112.

[4] *Ibid.*, November 4, 1835, No. 209.

However, the Commissioner rejected the idea and the rate of 5 annas per maund continued.[1]

The result of such a reduction of price was utter destitution of the 'malangis'. Their petition to the Secretary of the Salt Board clearly stated their sufferings. It was pointed out that from the days of William Blunt, the Commissioner of Cuttack in 1826, they were paid at the rate of 8 annas per maund of salt and its reduction to 5 annas was extremely harmful. It had deprived many of them of their mere subsistence, in consequence of which some lost their lives and others were compelled to leave the 'aurangs'. Their condition was so pitiable that had they not been supplied with rice as advances during the preceding two years, they must have all starved to death. They prayed for reconsideration of their case and hoped that the Government would enhance the rate of payment at least by one anna on the ground that they produced a superior variety of salt than that of Bengal manufacturers.[2] The Salt Agent of Cuttack supported the views of 'malangis', and reported to the Commissioner that discontent of 'malangis' was so great that some of them even declined to receive advances for the season 1842-43. He recommended for an increase of one anna per maund over the usual payment to the 'malangis'.[3]

The Government accepted the recommendations of the Salt Agent but the rate was enhanced only for one season. So, again in 1843, the Salt Agent of Cuttack pleaded for continuing the new rate of payment to the 'malangis'. He pointed out that their discontent was great and grievances were so genuine that many of them would give up their work at slight provocation. The profit of each 'malangi' in a fair season was, on average, 4 to 5 pies only for one maund of salt when the Government paid 5 annas for the same. Out of that scanty pittance, a 'malangi' had to support his family as generally he had no other means of livelihood. The Salt Agent produced concrete examples of the utter poverty of the 'malan-

[1] CSR, Acc. No. 164, Commissioner of Cuttack to Salt Agent of Cuttack, March 4, 1840, No. 888.

[2] *Ibid.*, Acc. No. 170, Petition of Malăngis to Secretary to Board of Customs, Salt and Opium, October 25, 1842.

[3] CSR, Acc. No. 178, Salt Agent of Cuttack to Commissioner of Cuttack, December 14, 1842, No. 225.

gis' by analysing their real profits in a year.[1]

In one case, 2 'malangis' and 5 'coolies' manufactured 544 maunds and 20 seers of salt during one season. Their net profit after deducting all charges for production, such as, cost of fuel, payment of 'coolies', etc., was only Rs. 27-14½ annas, and it was at the rate of 10 pies per maund. In another case, it was even much less. Four 'malangis' and 2 'coolies' manufactured only 322 maunds and 20 seers of salt for which they got the net profit of Rs. 35-3½ annas. It gave each 'malangi' little more than 5 pies per maund of salt. With such small profits the 'malangis' had to maintain themselves and their families during the year. The above calculation was based on the Government payment of 5 annas per maund and if they would be paid 6 annas for the same, the profit would be raised by 3 pies per maund. The Salt Agent pressed for payment at the latter rate which, he believed, would maintain them in a subsistence level.[2] He further argued that if the 'malangis' were not allowed a remunerating price for their labour, they might be tempted to carry on smuggling to maintain themselves.[3]

The Commissioner was also convinced of the miserable condition of 'malangis'. He recommended that for the manufacture of 'panga' salt 7 annas per maund should be paid to the 'malangis' of the lake 'aurangs' instead of 6 annas and 6 annas instead of 5 annas to the 'malangis' of all other 'aurangs'. The price paid for the manufacture of 'kurkutch' salt was originally 4 annas per maund which had been reduced to 2½ annas in 1840. The Salt Agent of Puri proposed to reduce further the price of 'kurkutch' salt to 2 annas per maund as it was consumed only in the districts of Puri and Cuttack. The Commissioner agreed for such reduction.[4] The Government took the matter into serious consideration and realized the insufficiency of remuneration paid to the 'malangis' In order to encourage the manufacture of 'panga' salt, it sanctioned the rate of 8 annas per maund for the 'lake aurangs'

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[1] *Ibid.*

[2] CSR, Acc. No. 178, Salt Agent of Cuttack to Commissioner of Cuttack, October 26, 1843, No. 191.

[3] *Ibid.*, August 22, 1844, No. 154.

[4] CSR, Acc. No. 461, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, December 17, 1842, No. 2929.

and the rate of 6 annas for other 'aurangs' in Orissa. The rate of payment for 'kurkutch' salt was reduced from 2½ annas to 2 annas per maund.[1] In the next season, however, the rate was reduced to 7 annas per maund in the lake 'aurangs' whereas the rate of 6 annas continued in other 'aurangs' of the province.[2]

The Government was mainly concerned with the net profit from the salt monopoly for which it was necessary to reduce the cost of production to the minimum. So the rate of payment to the 'malangis' fluctuated on this prime consideration. From the season of 1845-46, the rate was again reduced to 5 annas per maund in all 'aurangs' of the province except the lake 'aurangs' where it became 6 annas per maund. As the 'taidad' was much reduced from 1845-46 to 1852-53, there was no difficulty in producing the required quantity of salt. But when the 'taidad' was again raised in 1853-54, it was not possible to find out 'malangis' for producing large quantities of salt with the minimum payment of 5 annas per maund.[3] Consequently, as the best mode of stimulating the production of salt, the Government sanctioned the proposal of the Commissioner to pay 3 annas per maund over and above the usual rate for salt produced in excess of the fixed 'taidad'.[4] However, the extreme poverty of the 'malangis' was never mitigated and in time of scarcity of food, they felt it more severely than any other class. With their bare means of subsistence, they continued to produce salt for the Government as most of them had no other means of livelihood.[5]

From 1855-56, the Government decided to give some benefit to the 'malangis' by allowing them 2 seers of salt per

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[1] *Ibid.*, Secretary to Government of Bengal, to Board of Customs, Salt and Opium, January 18, 1843, No. 13.

[2] CSR, Acc. No. 461, Secretary to Government of Bengal to Board of Customs, Salt and Opium, January 15, 1844.

[3] *Ibid.*, Acc. No. 305, Salt Agent of Cuttack to Commissioner of Cuttack, June 29, 1855, No. 194.

[4] BSR, Acc. No. 772, Commissioner of Cuttack to Salt Agent of Balasore, September 25, 1855, No. 95. Encl. extract from Government order No. 435, September 15, 1855.

[5] CSR, Acc. No. 328, Salt Agent of Cuttack to Commissioner of Cuttack, October 20, 1857, No. 165.

month for their personal consumption. The Salt Agents were permitted to follow their own plan with regard to the distribution of this 'khoraki' salt or diet allowance to the 'malangis'.[1] After a year's trial, the result was reported to the Board, and surprisingly enough all Salt Agents of Orissa were found to be against the continuance of the system. The Salt Agent of Cuttack was of opinion that the system of registering the names of about 4000 'malangis' and keeping accounts of the salt given to them entailed an enormous labour without any corresponding advantage. The Salt Agent of Puri reported that none of the 'malangis' of his agency had taken any 'khoraki' salt as they preferred to purchase rather than take it from the Government under the new rules. The Salt Agent of Balasore reported that the said benefit did not compensate for the loss of labour and money incurred by the Government. Besides, he believed that most of the salt, which the 'malangis' received, had been sold by them illegally. Taking all such reports into consideration, the Commissioner concluded that the system sought to be introduced had broken down, and he recommended that the grant of 'khoraki' salt should be prohibited in the agencies of Orissa. He, however, cautioned that the Agents should not be too particular in regard to small quantities of salt taken by the 'malangis' evidently for private consumption within the 'aurangs'. But there should be no authorized allowance of salt and it should not be removed beyond the boundary of the 'aurangs'.[2]

AGREEMENT WITH ZAMINDARS

It has been discussed earlier that in 1811 some agreements were made with the zamindars for surrendering their rights on the salt lands. They were paid at the rate of 1½ annas per maund on all salt manufactured within their estates. The payment was known as 'moshaireh', and when the amount was calculated, considerable deductions were made for wastage etc. from the total production.[3] In 1836-37, when the ques-

[1] BSR, Acc. No. 810, Commissioner of Cuttack to Secretary of Board of Revenue, December 17, 1857, No. 130.

[2] *Ibid.*

[3] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal Appendix C, No. 3.

tion of concentrating the manufacture in the agencies of Orissa was mooted, it was argued that the Government had no power to limit the manufacture in estates where it had once been introduced without violating the terms of the salt settlement. But the Board of Customs, Salt and Opium categorically stated that the supposition of liability of the Government to continue the production of salt, whether it was required or not, was altogether illusory. The Board was perfectly at liberty either to concentrate the manufacture or diminish or abolish it without any breach of faith with the zamindars. Therefore, they directed the Commissioner to intimate this decision to the zamindars who possessed salt lands in the coastal areas of the province.[1]

In the land settlement of 1837-38, the assessment of revenue on salt lands was made in a different principle from that of other lands. The former was fixed at one-third of the allowances received by the zamindars annually from the Salt Department. So, out of the total amount paid to the zamindars for their salt lands, they got two-third only and the rest was repaid to the Government.[2] In case of abolition of the manufacture of salt, the zamindars got remission of the 'jama' of their salt lands along with some monetary compensations.[3]

In 1838 Henry Ricketts, the then Commissioner of the province, readjusted the allowance paid to the zamindars. It became 1 anna and 4 pies per maund or Rs. 8-5-4 pies per 100 maunds of 'panga' salt. The similar allowance on 'kurkutch' salt of the lake 'aurangs' in Puri was fixed at Rs. 5-9 annas per 100 maunds.[4]

Besides the 'moshaireh' or payment for salt lands, the zamindars were paid certain quantities of salt for their personal consumption which was known as 'khoraki' salt. Upto the year 1835, there was no definite principle for distributing the 'khoraki' salt to the zamindars. In the Cuttack agency, the

[1] BSR, Acc. No. 641, Secretary to Board of Customs, Salt and Opium to Commissioner of Cuttack, February 14, 1837, No. 147.

[2] BSR, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 109.

[3] SRG, Bengal, 1847, XXIVB-No. 3, A.J.M. Mills' Minute on Administration of Orissa, January 23, 1847.

[4] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 3.

Rajas of Kanika and Kujang received a fixed allowance of 500 maunds each per annum. The smaller landholders were paid at the rate of 10 seers for each 'malangi' employed in their estates. However, this plan was not adopted uniformly in all agencies of the province. In 1835, therefore, the Board of Customs, Salt and Opium decided that the allowance of the zamindars should be made uniform in the three agencies of Orissa and should be given at the rate of 15 seers per 100 maunds of salt manufactured in their estates.[1]

In 1853 the Salt Agent of Cuttack pointed out to the Commissioner that the system should be discontinued altogether. The allowance of salt for personal consumption was, as he found, originally conceded to the zamindars as an indulgence for conciliating and inducing them to settle their salt lands with the Government. In the engagements taken from them, there was no mention of any allowance for personal consumption or 'khoraki' salt and they had, therefore, no claim to it as a matter of right.[2]

Next year, the salt agent of Balasore wrote to the Commissioner the same thing. He pointed out that it was allowed to the zamindars as an inducement for permitting their raiyats to be employed in the manufacture of salt. The circumstances under which it originated did no longer exist and also the zamindars were sufficiently remunerated for their salt lands. Therefore, the allowance should cease altogether.[3] The 'khoraki' salt, which they received from the Government was certainly much more than their requirements for personal consumption. That was evident from the fact that the zamindars generally did not take the allotted 'khoraki' salt but commuted considerable portion of it into money payment. In Balasore, the whole quantity had been commuted into money payment, while in Cuttack and Puri, one-half and two-third respectively had been paid in the same way.[4] However, the

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[1] CSR, Acc. No. 288, Salt Agent of Cuttack to Commissioner of Cuttack, June 3, 1853, No. 91.

[2] *Ibid.*

[3] BSR, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 109.

[4] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C. No. 3.

Government took no prompt decision on the matter and the allowance continued as before.

SALE OF SALT IN ORISSA

The Government made adequate provisions for supplying salt to the people of Orissa at a reduced price than what prevailed in Calcutta market. As huge quantities of salt were manufactured in the coastal region of Orissa, it was neither feasible nor desirable to impose full Government duty on the article as it was done at Calcutta. For the sale of salt in Orissa, two distinct arrangements were made. Throughout the province, several sale 'golas' were established where salt was sold to any individual from 10 seers to 20 maunds under 'charchitty' or retail permit and above 20 maunds under 'rowanah' or wholesale permit. The latter method was adopted when it was required to send salt to the Tributary Mahals of Orissa and beyond that. Besides those sale 'golas', the Government also retailed salt to people in small quantities at the preventive posts or 'chowkeys', especially for sake of convenience to the villagers residing on the verge of the manufacturing tracts. The quantity of salt purchasable by any individual in those 'chowkeys' was limited to five seers only.[1]

In Balasore agency, there were four sale 'golas' at Basta Balasore, Soro and Bhadrak, besides 20 'chowkeys' where salt was retailed to the people. Only 'panga' salt was sold in those 'golas' and 'chowkeys' and except two 'chowkeys, it was sold at one uniform rate of Rs. 2-5 annas per maund.[2] The people of two 'chowkeys' at Rajghat and Begunia, situated in the northern border of Balasore district, were supplied with salt at a high rate of Rs. 3-12 annas per maund from Jaleswar sale 'gola' of Hijli Agency in Bengal. Such specific arrangement was made to prevent smuggling of salt from Balasore to Midnapore. However, sales in those 'chowkeys' were so small that the Salt Agent of Balasore recommended to the Government to put an end to it. He intended to supply salt to those 'chowkeys' from Basta 'gola' at the

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[1] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C. No. 6.

[2] BSR, Acc. No. 685, Salt Agent of Balasore to Commissioner of Cuttack, April 3, 1849, No. 5.

usual low rate of Rs. 2-5 annas. It was subsequently approved by the authorities.[1]

In 1850 the Board reduced the rate uniformly to Rs. 2-2 annas in all sale 'golas' and 'chowkeys' in Balasore agency and again in 1853, another reduction was made in the sale price of the two southern 'golas' at Bhadrak and Soro to Rs. 2 and Rs. 2-1 anna respectively. The measure was undertaken to check the infiltration of Cuttack salt, which was sold at a lower rate, to those areas of Balasore district.[2] The Tributary Rajas of Mayurbhanj and Nilgiri were allowed to take salt from Balasore agency for consumption of their subjects. They were supplied 16,000 maunds and 5,000 maunds of salt respectively at the rate of Rs. 2-2 annas per maund. In 1854 the Government cancelled the sale of salt at five 'chowkeys' in northern border of the district in order to check smuggling to Bengal. In other 15 'chowkeys' of the district, it was sold at the uniform rate of Rs. 2-2 annas per maund.[3]

In 1855 certain changes were introduced in the system of sale of salt in Balasore agency. The recognized principle of the Government from 1850 had been to leave the supply of salt in the territories beyond the 'aurangs' to the merchants and private traders as far as possible. In pursuance of this principle, the number of sale 'golas' was reduced in Cuttack agency. As regards Balasore agency, the Board of Revenue suggested to the Government that the 'golas' of Soro and Basta should be abolished.[4] The Lieutenant-Governor of Bengal approved of this proposition for abolishing the sale 'golas' at Soro and Basta.[5]

He further authorized the Board to carry out the proposal to change the sites of several preventive and sale 'chowkeys' so as to check smuggling effectively. It was intended completely to cordon the manufacturing 'aurangs' and not to

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1 BSR, Acc. No. 695, Commissioner of Cuttack to Salt Agent of Balasore, August 25, 1846, No. 1529.

2 *Ibid.*, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, May 19, 1854, No. 46.

3 *Ibid.*, June 18, 1854. No. 67 and September 22, 1854, No. 109.

4 BSR, Acc. No. 769, Secretary to Board of Revenue to Secretary to Government of Bengal, January 25, 1855, No. 107.

5 *Ibid.*, Secretary to Board of Revenue, to Commissioner of Cuttack, February 10, 1855, No. 19.

allow salt to find its way beyond the preventive line on any pretence. Accordingly, the 'chowkeys' and retail shops were adjusted in the agency. In 1856 there were 8 retail shops where salt was sold at the reduced rate of Rs. 1-8 annas for supplying the manufacturing localities and its immediate neighbourhood. Besides the retail shops, salt was also sold at the 'golas' of Bhadrak and Balasore at the rate of Rs. 2 and Rs. 2-2 annas respectively for supply to the rest of the agency.[1]

The quantity of salt sold in Balasore agency varied from time to time. In 1836 it was 69,469 maunds. It increased to 70,685 maunds in 1840 and to 88,889 maunds in 1845. The enhanced quantity of sale depended mainly on the effective check of smuggling by the preventive 'chowkeys'.[2] The sale further increased to 99,162 maunds in 1850 and the highest sale of 1,03,048 maunds, recorded for Balasore agency, took place in 1851.[3] The 'chowkey' and 'gola' 'amlas' were paid extra allowance for their efforts to increase the sale in their respective jurisdiction. The 'gola' 'amlas' were paid at the rate of 5 rupees per 100 maunds on the quantity sold in excess of a certain fixed amount. The extra allowance so paid was shared by the 'gola' 'amlas' in proportion to their salaries. The 'chowkey' darogahs were allowed the commission of 3 rupees on every hundred maunds of salt sold by them. In 1841 a new system was introduced. At five 'chowkeys' in the northern border of the district, Commission was paid at the rate of 5 rupees per 100 maunds of salt sold over and above the fixed quantities. It was paid annually and was divided among the 'chowkey' 'amlas' in proportion to their salaries. At other 'chowkeys', the 'amlas' received commission quarterly at the above noted rate which was calculated on all salt sold by them and was divided in the same manner.[4]

In Cuttack agency, both 'panga' and 'kurkutch' salt was

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[1] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 6.

[2] SRG, Bengal, 1847, XXIVB-No. 3, A.J.M. Mill's Minute on the administration of Orissa, January 23, 1847.

[3] BSR, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, January 28, 1854, No. 9.

[4] BSR, Acc. No. 684, Salt Agent of Balasore to Commissioner of Cuttack, February 8, 1845, No. 6.

sold to the people. The retail rate of 'panga' was Rs. 2 and a few annas per maund which included the charges of transport of salt from 'aurangs' to sale 'golas'. The rate of 'kurkutch' was one rupee and a few annas per maund including the cost of transport.[67] There were four retail sale 'golas' in Cuttack agency at Kyapara, Diahtol, Burra and Cuttack. The demand of the district was mainly supplied from 'kurkuttch' salt of the lake 'aurangs' which was introduced for retail sales in Cuttack 'golas' from 1824-25.[2] The introduction of 'kurkutch' in Cuttack sale 'golas' deprived the Government of large profits which it derived from the sale of 'panga'. The amount was reduced to almost one-fifth of what it was before the introduction of 'Kurkutch'. The low price of 'kurkutch' was the main reason of the loss. Therefore, in 1830 the Salt Agent suggested to raise the price of 'kurkutch' to Rs. 1-12 annas keeping that of 'panga' at Rs. 2.[3] The Government accepted the proposal and the price of 'kurkutch' salt was fixed at Rs. 1-12 annas per maund for retail sale in the district.[4] Besides the four sale 'golas', there were six 'chowkeys' or preventive posts in the district where the rate of selling 'panga' was only one rupee per maund excluding the charges of transport. No 'kurkutch' was sold in the 'chowkeys'.

In 1830 the Salt Agent of Cuttack proposed that a 'gola' should be established at Sambalpur"* to retail salt at the rate of 3 rupees per maund. He found out that 'panga' salt was sold at Sambalpur at the rate of Rs. 3-12 annas to Rs. 4 during the last 25 years by private traders. 'Kurkutch' salt from Ganjam had also been sold at the same high prices. Evidently, the traders derived high profit. So the Salt Agent of Cuttack suggested that the Government should take over business of the private traders at that place to earn some profit. He wanted that only 'panga' salt should be sent to Sambal-

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[1] CSR, Acc. No, 447, Salt Agent of Cuttack to Commissioner of Cuttack, December 5, 1829.

[2] *Ibid.*, August 10. 1829.

[3] *Ibid.*, March 26, 1830.

[4] *Ibid.*, May 13, 1830.

* It was an important trading centre located on the bank of river Mahanadi beyond the Tributary Mahals of Orissa.

pur. The reason for which he desired the entire stoppage of 'kurkutch' to that place was that it would fecilitate detection of smuggled salt and also the superior variety of salt at a comparatively low price would drive the merchants entirely out of the market.[1]

But the Government took a different view. It rejected the idea of establishing a sale 'gola' at Sambalpur. In order to drive out the Ganjam 'kurkutch' salt from the market of Sambalpur, it was necessary to introduce superior 'kurkutch' or 'Abra' salt into that region from the lake 'aurangs'. So the Salt Agent of Puri was directed to establish a sale 'gola' at Banpur or Tangi for supplying salt to the territories between Cuttack and Bihar. 'Abra' salt was to be sold at that 'gola' in quantities not less than 5 maunds at the rate of Rs. 1.4 annas per maund with 'rowanahs' to its destination. The Salt Agent of Puri was further directed to dispose of salt from the same depot in quantities not less than 5 maunds at the same rate for internal consumption. The Tributary Mahals with the exception of Mayurbhanj and Nilgiri were also to be supplied with 'abra' salt at the same rate. The purchasers in both cases were required to defray all charges for conveyance of salt from the lake 'golas'.[2]

The Government further directed the Salt Agents of Balasore and Cuttack that the Tributary Mahals be supplied with 'panga' salt at the established rate but, for excess of the quantity fixed for annual supply of each Mahal, they were to be charged at the rate of 3 rupees per maund. The Salt Agent of Cuttack was entitled to sell 'panga' salt to the merchants for supplying Sambalpur and other areas beyond the Tributary Mahals at the above rate with proper 'rowanahs'. Obviously the intention was to supply 'abra' salt in maximum quantity for the consumption of territories between Mughalbandi and Bihar.[3]

However, when the price of 'panga' was raised to 3 rupees

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[1] CSR Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, October 13, 1831.

[2] *Ibid.*, Acc. No. 105, Secretary to Government of Bengal to Board of Customs, Salt and Opium, December 20, 1831.

[3] CSR, Acc. No. 105, Secretary to Government of Bengal to Board of Customs, Opium and Salt, December 20, 1831.

per maund, the demand for that article ceased altogether. So the price was again reduced to 2 rupees as before with an additional charge of inland carriage.[1]

In 1830 arrangements were made with the Tributary Rajas for promoting the retail sale of salt and suppressing contraband trade throughout their territories. They were required to send an annual indent of salt to be consumed in their respective territories to the Superintendent of the Tributary Mahals at Cuttack. Accordingly arrangements were made for supplying them with requisite quantities of salt from nearest agency 'golas' at the established rate. At the same time, the Government expected full co-operation from them for checking illicit trade through their Mahals. It was declared that they would be rewarded with the sale proceeds of all contraband salt seized by them in their territories. The arrangement initially worked well. The Rajas of Baramba, Dhenkanal and Atagarh received rewards for seizure of contraband salt in their respective Mahals.[2]

But within a few years the system failed. The Tributary Rajas did not take their estimated supplies from the agency 'golas'. They also ceased to suppress contraband trade in the article. The Rajas might have regarded the orders of the Government of December 20, 1831, which authorized the introduction of salt into their territories by private traders and sanctioned the unrestricted retail sale from the depot established by the Salt Agent of Puri at Tangi, as a virtual annulment of the settlement concluded with them.[3]

In the meantime, the retail rate of 'kurkutch' salt in the Cuttack agency had been reduced to Rs. 1-8 annas per maund in October, 1834. But when the retail rate of 'kurkutch' was fixed at Rs. 1-4 annas in the 'gola' of Puri agency by order of the Government on December 20, 1831, the Salt Agent of Cuttack requested the Commissioner to reduce the price of

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[1] *Ibid.*, October 16, 1832.

[2] CSR, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, March 26, 1830.

[3] *Ibid.*, No. 109, Salt Agent of Cuttack to Commissioner of Cuttack, July 31, 1834, No. 94.

[4] *Ibid.*, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, February 9, 1832, No. 17.

that article in his agency to the same scale.[1] The request was subsequently granted. In 1836 certain changes were made in the retail rate of salt sold in the district. By the Commissioner's order on September 5, 1836, the rate of 'panga' salt in 4 sale 'golas' was fixed at Rs. 2-3 annas per maund and that of 'kurkutch' at Rs. 1-8 annas per maund.[2] At the same time, the rate of selling salt at 6 'chowkeys' of the district was fixed at Rs. 1-1 anna per maund.[3]

In 1838 the question of equalizing the rate of retail sale of 'panga' salt in the 'golas' and 'chowkeys' was raised. The Salt Agent of Cuttack protested against such a move on the ground that it would affect the principle of 'chowkey' arrangement, nullify all the advantages and would encourage smuggling to an alarming extent.[4] But his protest was of no avail and the price was equalized from February 1, 1839, both in 'golas' and 'chowkeys' at 2 rupees per maund with an addition of 4 annas 9 pies to the 'gola' price and 3 annas to the 'chokey' price for the cost of inland transport of salt from the 'aurangs'.[5] By recommendation of the Agent, the difference between the above noted rates at 'golas' and 'chowkeys' was waived off and the price of 'panga' salt was fixed at Rs. 2-4 annas per maund for both the places. However, 'kurkutch' salt was sold only in the sale 'golas' at the rate of Rs. 1-8 annas per maund.[6]

In 1839 the Salt Agent of Cuttack pointed out that it was a matter of great difficulty to sell 'panga' salt at the high rate of Rs. 2-4 annas per maund in the 'chowkeys' near the manufacturing 'aurangs'.[7] So he wanted to sell 'kurkutch' salt in those 'chowkeys'. The Commissioner found no objection to the proposal for introduction of the sale of 'kurkutch' salt and discontinuance of 'panga', and the Agent was authorized to

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[1] *Ibid.*, Acc. No. 109, Salt Agent of Cuttack to Commissioner of Cuttack, May 31, 1832, No. 68.

[2] CSR, Acc. No. 136, Salt Agent of Cuttack to Commissioner of Cuttack, February 2, 1838, No. 19.

[3] *Ibid.*, May 21, 1838, No. 83.

[4] *Ibid.*, July 9, 1838, No, 115.

[5] *Ibid.*, May 18, 1839, No. 86.

[6] *Ibid.*, June 10, 1839, No. 98.

[7] *Ibid.*

give effect to the measure.[1] In 1842 the Salt Agent of Cuttack was further allowed to increase the quantity of salt retailed in the 'chowkeys' from 5 seers to 20 seers and at the same time he was permitted to increase the quantity of each despatch of salt sent to the 'chowkeys' from the 'aurangs' from 50 maunds to 100 maunds.[2]

In the Puri agency, 'kurkutch' salt was mainly consumed by the poorer classes of people and it was available at the low rate of Rs. 1-1 annas per maund only. It was sent to the Cuttack agency where it was sold at the enhanced rate of Rs. 1-8 annas per maund in the sale 'golas'. Generally the dealers were in the habit of purchasing it in the Puri agency and brought it for sale to Cuttack. So it was detrimental to the retail sales of the Cuttack agency. Therefore, in 1844 A.J.M. Mills, the Commissioner, equalized the price of 'kurkutch' in both the agencies of Cuttack and Puri and fixed the rate of Rs. 1-8 annas per maund.[3] Besides, a Government 'gola' at Banki was opened on January 1, 1845, and the 'gola' at Tangi was converted into a 'chowkey'. The 'gola' at Banki was more convenient to the people of Tributary Mahals where the sale of salt much exceeded that of Tangi.[4]

In 1849 the Salt Agent of Cuttack suggested to the Commissioner to adopt a new method of 'chowkey' management. He pointed out that in Bengal the internal trade in salt was left entirely to private merchants and recommended that the same system be followed in Orissa. He further argued that as a Government monopoly, the State was bound to keep sufficient amount of salt in hand and maintain a steady supply of the article. But interference with the trade was an infringement on the rights of individuals and should be avoided for greater interest of the people. He also pointed out that the establishment of a 'gola' at Banki,* which was beyond the limits of

[1] CSR, Acc, No. 164, Commissioner of Cuttack to Salt Agent of Cuttack, January 8, 1840, No. 90.

[2] *Ibid.*, Acc. No. 170, Commissioner of Cuttack to Salt Agent of Cuttack, November 25, 1842, No. 2715.

[3] SRG, Bengal, 1847, XXIVB-No. 3, Mills' Minute of the Adminsitration of Orissa, January 23, 1847.

[4] CSR, Acc. No. 227, Commissioner of Cuttack to Salt Agent of Cuttack, March 28, 1846, No. 594.

* Banki, a Tributary Mahal, was confiscated by the Government in 1840.

Cuttack and Puri agencies, was objectionable, and it should be abolished.[1] As it was difficult to get sufficient amount of 'kurkutch' salt from Puri for supplying the Cuttack sale 'golas', the Salt Agent of Cuttack desired that the system should be discontinued and 'panga' salt might be sold at a reduced rate.[2]

The Government accepted the suggestions of the Salt Agent of Cuttack. It was decided to leave the supply of the article to the territories beyond the manufacturing tracts, bound by preventive cordon, in the hands of private traders. The Government interference was to be limited in those areas and only some central depots were to be maintained in each district. Accordingly, the sale 'golas' of the Cuttack agency were reduced from four to two.[3] Those two 'golas' were located at Kyapara and Cuttack where only 'panga' salt was retailed at the reduced rate of Rs. 1-14 annas per maund. In the retail shops of six 'chowkeys', which supplied to manufacturing localities only, the rate of same variety of salt was further reduced to Rs. 1-8 annas. The arrangement came into full operation from October 1, 1850.[4]

In the Puri agency, there were two central depots, one at Puri and the other at Tangi which was revived after the abolition of Banki 'gola'. Both 'panga' and 'kurkutch' salt were sold in those depots, the former at the rate of Rs. 1-14 annas and the latter at the rate of Rs. 1-8 annas per maund. For the mannfacturing localities, there were 11 shops and in some of them 'panga' was retailed at the rate of Rs. 1-8 annas per maund and in all others 'kurkutch' was sold at the rate of one rupee per maund.[5] For the sake of convenience the Government shifted the 'golas' at Kyapara and Cuttack in the Cnttack agency to the new sites of Patamundai and Kolerow respectively in 1856.[6]

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[1] CSR. Acc. No. 227, Salt Agent of Cuttack to Commissioner of Cuttack, July 13, 1849, No. 128.

[2] *Ibid.*, October 3, 1849, No. 176.

[3] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 6.

[4] CSR, Acc. No. 260, Salt Agent of Cuttack to Commissioner of Cuttack, February 1, 1851.

[5] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 6.

[6] CSR, Acc. No. 305, Salt Agent of Cuttack to Commissioner of Cuttack, February 19, 1856, No. 19 and May 6, 1856.

The amount of salt sold in the Cuttack and Puri agencies varied from time to time. In 1825-26 the amount sold in the Puri agency was 2,35,660 maunds, and it was mostly of 'kurkutch' variety. In 1828-29 salt of both varieties, which was sold in the Cuttack agency, amounted to 59,472 maunds only.[1] The amount gradually increased to 1,18,205 maunds in 1836, 1,33,147 maunds in 1840, and 2,04,748 maunds in 1845. It was mostly of kurkutch' variety and only a few thousand maunds of 'panga' were sold. In the Puri agency, however, the amount of sale rapidly declined and in 1836 it was only 1,32,141 maunds. It increased to 1,49,520 maunds in 1840 but again declined to 1,24,332 maunds in 1845.[2] In the Cuttack agency, the amount was raised to the grand total of 2,79,712 maunds in 1850, out of which 1,15,339 maunds were sold for the Tributary Mahals and the rest for Mughalbandi. But in the next year, when the importation of 'kurkutch' from Puri was stopped, the amount came down to 1,75,694 maunds.[3] In subsequent years, the amount increased and in 1853-54, it was 1,93,364 maunds. In the Puri agency, the sale rapidly increased after 1845 and in 1853-54 2,51,222 maunds were sold for local consumption. This huge amount of sale was due to the stoppage of import of of 'kurkutch' on the Government account to the Cuttack agency.[4]

In the Cuttack agency, the 'gola' 'amlas' were at first paid by commission only at the rate of 2 rupees per 100 maunds. As it became insufficient in some cases, extra allowances were paid by the Government.[5] In 1833 the commission was raised to 2 rupees per 100 rupees of salt sold in the 'golas'. But still the amount was insufficient and the Salt Agent wanted that they should be paid in fixed salaries instead of commission The Commissioner approved of his idea and the matter was

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[1] *Ibid.*, Acc. No. 447, Salt Agent of Cuttack to Commissioner of Cuttack, March 26, 1830.

[2] SRG, Bengal, 1847, XXIVB-No. 3, Mills' Minute on the Administration of Orissa, January 23, 1847.

[3] CSR, Acc. No. 288, Salt Agent of Cuttack to Commissioner of Cuttack, November 3, 1853.

[4] PP, HC. 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 3.

[5] CSR, Acc. No. 105, Secretary to Government of Bengal to Board of of Customs, Salt and Opium, December 4, 1832.

referred to the Government.[1] Ultimately the Government sanctioned a fixed salary as well as some commission to the 'gola' officers for their efforts to increase the amount of sale. In 1840 salaries of Cuttack and Puri darogahs in sale 'golas' were equalized, and it was fixed at 30 rupees per month. They were further sanctioned a commission at the rate of 5 rupees for 100 maunds of salt sold above the average quantity of sale at each 'gola' during the last five years. The amount was to be divided among all 'amlas' of the establishment in proportion to their salaries.[2] In 1853-54 the darogahs of the bigger sale 'golas' in three agencies of Orissa were drawing the monthy salary of 50 rupees each.[3]

PREVENTIVE SYSTEM

The system of monopoly naturally required an organized preventive system to check illicit manufacture and trade in the article. So the Government established preventive posts or 'chowkeys' thoughout Orissa which were superintended by the Salt Agents. The duties of the officers in the preventive 'chowkeys' were two-fold. First, they were required to see that no illicit manufacture of salt was carried on within the limits of their respective 'chowkeys'. Secondly, they were entrusted with the responsibility of checking illicit trade in the article within their jurisdictions.[4]

In Balasore agency, there were the largest number of preventive 'chowkeys'. It was necessary for two reasons. First, the manufacturing 'aurangs' of the agency were not very far from the Tributary Mahals where the British regulations were not in force, and so it afforded enough scope for smuggling. Secondly, the agency was on the border of Bengal where salt was sold at a higher price than in Orissa, and naturally there was another possibility of smuggling in that direction. There were 20 'chowkeys' in all, out of which 5 were situated in the eastern border and were known as the 'frontier chowkeys'.

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[1] *Ibid.*, Acc. No. 113, Commissioner of Cuttack to Salt Agent of Cuttack, January 26, 1833, No, 13.

[2] CSR, Acc. No. 164, Secretary to Government of Bengal to Board of Customs, Salt and Opium, November 4, 1810, No. 554.

[3] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 6.

[4] *Ibid.*, No. 4.

These 'frontier chowkeys' were established with a view to stop the illicit trade into Bengal. The other 'chowkeys' were situated along the whole edge of manufacturing tracts from river Subarnarekha to river Dhamrah at distances varying from 5 to 15 miles.[1]

In 1835 Henry Ricketts, the Salt Agent of Balasore, suggested to the Government for a rearrangement of the preventive estabishment in his agency. He considered the existing arrangement of 'chowkeys' along a line of about 2 to 4 miles from the sea coast as not only ineffective in the prevention of smuggling but also vexatious to the people.'[2] The Board agreed that it would be better to bring the preventive force nearer the manufacturing 'aurangs'. Ricketts proposition was that a jamadar with ten peons should be stationed in each 'aurang' and they should be responsible for checking illicit manufacture or trade in the article. He desired to reward them at the rate of 2 rupees per maund on all salt seized above 20 seers, provided the smugglers were arrested and 8 annas per maund when smugglers escaped without arrest, but leaving behind their goods.[3]

The Govenment approved of the proposed arrangement and sanctioned the establishment of a jamadar with ten peons at each of the manufacturing 'aurangs'.[4] The rate of reward for seizure of salt was modified and fixed at 2 rupees per maund. It was not to exceed 10 rupees for a single person arrested, and any excess of salt beyond 5 maunds found in illegal possession of a person, the reward was to be one rupee per maund.[5] These arrangements proved to be effective in checking smuggling and two years later in 1837, the Salt Agent reported to the Commissioner that the new system should be retained as a permanent feature of 'chowkey' management. He stated that if a check of that nature was not maintained, it would not be possible to prevent smuggling from being carried on to a seri-

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[1] BSR, Acc. No. 753, Salt Agent of Balasore to Commissioner of Cuttack, September 22, 1854, No. 109.

[2] *Ibid.*, Acc. No. 628, Board of Customs, Salt and Opium to Government of Bengal, March 20, 1835, No. 244.

[3] *Ibid*

[4] BSR, Acc. No. 628, Secretary to Government of Bengal to Board of Customs, Salt and Opium, April 8, 1835.

[5] *Ibid.*, August 19, 1835, No. 213.

ous extent.[1] It was also felt that five 'chowkeys' on the eastern border of the district should be kept under the Superintendent of Salt Chowkeys at Jaleswar for better management. Though the Superintendent of Salt Chowkeys at Jaleswar was in charge of a portion of Midnapore division in Bengal, for these 'chowkeys' on the border he was to be responsible to the Salt Agent of Balasore.[2]

In 1845 the Salt Agent of Balasore gave a report to the Commissioner about the working of 'chowkeys' in his agency. Out of 227 preventive officers, 53 men had not seized a single 'chhatak' of contraband salt in two years, i.e., from June 1843 to May 1845, and 42 men less than 4 seers each during that period. He proposed that all officers who had not seized illicit salt at all should be dismissed as they were 'useless burden' to the Government, and those officers who had seized less than 4 seers of salt should be suspended for a long period. He also wanted to drive out certain peons from 'chowkeys' and establish a new body of jamadars on the increased scale of allowances for better work. He felt convinced that the utter inefficiency and uselessness of 'chowkey' officers was mainly attributable to their low salary and absence of any stimulus of higher promotion or increased allowances. Therefore, some posts of higher allowances might induce them to work sincerely and place them in some measure at least beyond the reach of ordinary bribery.[3]

However, the Government took no such drastic action and no jamadars of higher scale of pay were appointed. In 1848 the Salt Agent of Balasore engaged some peons for vigorous patrolling in the 'aurangs' as a result of which smuggling was considerably checked. Encouraged by such an experiment he proposed to introduce a new system in which one jamadar and 6 or 8 peons from each 'chowkey' were to be placed under orders of the nearest 'aurang' darogahs for their patrolling duty. During that period the preventive staff in 20 'chowkeys' of Balasore agency numbered 258. Except the five 'frontier

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[1] BSR, Acc. No. 649, Salt Agent of Balasore to Commissioner of Cuttack, July 7, 1837, No. 116.

[2] *Ibid.*, Acc. No. 641, Superintendent of Salt Chowkeys of Jaleswar to Salt Agent of Balasore, April 7, 1837.

[3] BSR, Acc. No. 684, Salt Agent of Balasore to Commissioner of Cuttack, October 8, 1845, No. 36.

chowkeys' where some more peons were maintained, each 'chowkey' had one jamadar, one 'muharrir', and 10 peons on the scales of Rs. 12, Rs. 10, and Rs. 4 each per month respectively. The total 'chowkey' establishment of the agency was Rs. 1327 per month.[1]

Though the new system of patrolling was introduced from 1849, yet it led to no good result. In 1854 the Salt Agent pointed out that the system was fruitless as the jamadars were taking bribes from the manufactures. Seizures made by them were of small quantities and their withdrawal from the several 'chowkeys' considerably weakened the power of 'muharris' to continue retail sales of salt and repress smuggling within their jurisdiction.[2] He had proposed earlier that the services of a European official be granted to him for supervising the work of 'chowkeys'. It was impossible for an Agent, whose duties as the Collector and Magistrate required constant presence at the headquarters, to supervise effectively so large a preventive establishment of 253 persons covering a length of 80 miles of sea coast in his agency. Consequently, the smugglers carried on their business safely and the preventive officers shared in their profits without any detection.[3]

In May 1854, he again advanced his proposal for the appointment of a trustworthy European Inspector of Chowkeys whose duty should be to visit the preventive posts frequently. If a single officer was to be entrusted with that responsibility, he would be able to keep the establishment vigilant and watchful. Without such an officer, he declared, no real control could be exercised over the 'chowkeys'.[4] His arguments were finally accepted and in August 1854, an uncovenanted Assistant to the Salt Agent was appointed whose main duty became the effective supervision of the preventive system.[5]

In Cuttack and Puri agencies, the preventive posts or 'chowkeys' were less numerous. The number of 'chowkeys' was

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[1] *Ibid.*, Acc. No. 695, Salt Agent of Balasore to Commissioner of Cuttack, June 20, 1849, No. 13.

[2] BSR, Acc, No. 753, Salt Agent of Balasore to Commissioner of Cuttack, July 22, 1854, No. 84.

[3] *Ibid.*, April 17, 1854.

[4] *Ibid.*, May 19, 1854, No. 46.

[5] *Ibid.*

6 in Cuttack agency and 7 in Puri agency. The total establishment per month in the former agency was Rs. 709 and in the later Rs. 790 only. In each 'chowkey', there were one jamadar and 6 to 12 peons who were responsible for the prevention of smuggling. The Salt Agents of Cuttack and Puri were also given an uncovenanted Assistant each to assist them in their duties of supervising the preventive system.[1]

EXPORT OF SALT FROM ORISSA AGENCIES

All 'panga' salt in excess of local consumption in three agencies of Orissa were exported to Sulkia 'golas' near Calcutta Salt from the 'aurangs' of Cuttack agency was transported to the depot 'gola' at Hansuya on the bank of river Brahmani from which it was exported to Sulkia. Salt from the Aangstr 'aurangs' of Puri agency was also taken to Hansuya for convenience of export and salt made in other 'aurangs' of the agency was stored at Meetakua on the lake for export. In Balasore agency, salt was stored at the 'aurang' 'golas' and then shipped from the 'golas' to Sulkia.[2]

The Government exported salt to Sulkia through contractors. The Commissioner of Cuttack was permitted to give advances to the contractors to the extent of one-third of the amount of freight for which they engaged. Of course, the Commissioner paid advances when he was satisfied with the security they afforded and was convinced that they possessed vessels on good condition to export salt. In 1833 the Government decided that a penalty of 5 rupees per 100 maunds should be imposed on the contractors if they failed to remove full quantity of contracted salt in one season.[3]

The rate of freight to Sulkia varied in three agencies of Orissa from time to time. Before 1839, it was paid at the rate of 30 rupees per 100 maunds in Puri agency, 21 rupees in Cuttack agency and Rs. 23-8 annas to Rs. 16 in Balasore agency. In 1839 it was fixed at a low rate of Rs. 23 for Puri,

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1 PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III. Bengal, Appendix C, No. 4.

2 SRG, Bengal, 1847, XXIVB-No. 3, Mills' Minute on the Administration of Orissa, January 23, 1847.

3 CSR, Acc. No. 113, Secretary to Government of Bengal to Board of Customs, Salt and Opium, July 11, 1833.

Rs. 16 for Cuttack and Rs. 12 for Balasore.[1] But subsequently the rate of freight was enhanced in two former agencies. In 1847 it was Rs. 25 in Puri agency, and Rs. 18 in Cuttack agency. In Balasore agency the rate of freight was reduced to Rs. 11 only.[2] From 1839 the export of salt in Balasore agency was supervised by a European official, Alfred Bond, and his exertions were most creditable as he was finally able to reduce the rate of freight to Rs. 10 only and consequently, inspite of the distance, the Government was enabled to sell it cheaper than the salt from Hijli.[3]

The amount of salt exported from three agencies of Orissa varied from time to time according to the needs of the Calcutta market. In 1839 A.J M. Mills, the Commissioner, estimated to send 9 lakhs and 60 thousand maunds of salt from three agencies of Orissa to Sulkia.[4] The demand was further raised to 11 lakhs of maunds in 1840.[5] When the Board introduced the fixed 'taidad' of 6 lakhs maunds of 'panga' salt for three agencies of Orissa in 1846-47, the amount available for export to Sulkia was much reduced. It amounted to 4.48,040 maunds only from three agencies.[6] When the 'taidad' was again increased and the out-turn was 16,88,564 maunds in 1853-54, the quantity of salt available for export increased to about 12 lakhs of maunds in three agencies of Orissa.[7] On the whole, more than two-thirds of the entire product of the province was exported to Sulkia 'golas' for sale.

The sale price at the Sulkia 'golas' varied from time to time. Lord Cornwallis had introduced periodical auction sales in limited lots with a view to breaking down any sub-monopoly

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1 CSR, Acc. No. 164, Board of Customs, Salt and Opium to Commissioner of Cuttack, September, 26, 1839, No. 970.

2 SRG, Bengal, 1847, XXIVB-No. 3, Mills' Minute on the Administration of Orissa, January 23, 1847.

3 *Ibid.*, 1853, No. XXX, Report on the District of Balasore by Henry Ricketts, 1853.

4 CSR, Acc. No. 164, Board of Customs, Salt and Opium to Commissioner of Cuttack, September 26, 1839, No. 970.

5 *Ibid.*, Commissioner of Cuttack to Salt Agent of Cuttack, September 21, 1840, No. 4130.

6 *Ibid.*, Acc. No, 227, Commissioner of Cuttack to Board of Customs, Salt and Opium, August 7, 1848, No. 1327.

7 PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 3.

that might be created by salt merchants. That system continued upto 1836. In the auction system the price of salt was something more than the cost of production and the duty which the Government levied. The duty was fixed in 1817 at 3 sicca rupees per maund which was afterwards converted to 3 Company's rupees and 4 annas. It remained unaltered until the end of October 1844, when a reduction of 4 annas was made. Simultaneously a corresponding reduction of 25 rupees per 100 maunds was made in the sale price of Bengal salt. In the meantime in 1836 the auction system was abandoned and the new system of sales at fixed price in unlimited quantities was resorted to. On April 1, 1847, a further reduction of duty of 4 annas a maund was made which brought it to Rs. 2-12 annas a maund. The sale prices of salt of the several agencies were, for the first time, fixed at cost price plus the amount of the reduced duty.[1]

On May 1, 1849, a further reduction of 4 annas a maund was made bringing the duty down to Rs. 2-8 annas a maund. The fixed sale prices of salt were again adjusted in conformity with this reduced duty. From that date, the adjustment of cost price had been made annually, but no further reduction of duty was made. The following table shows the variation of the sale prices per 100 maunds of salt from Orissa at Sulkia 'golas'.[2]

Agency			*October 1844* *Rs.*	*May 1, 1855* *Rs.*
Cuttack	...	Panga	413	329
Balasore	...	Panga	418	313
Puri	...	Panga	419	329
		Chilka Panga	424	
		Chilka Kurkutch	—	300

PROFIT FROM SALT MONOPOLY

The salt monopoly in Orissa yielded much profit to the Company's Government. According to Andrew Stirling, 'the finest salt of all India' was manufactured in the coastal region of Orissa, and it gave annually to the Company 'a net revenue

[1] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, pp. 142-153.

[2] *Ibid.*, p. 151.

[3] A. Stirling, *An Account of Orissa Proper or Cuttack*, p.5.

falling little short of 18 lacs of Rupees.'[3] He was the Secretary to the first Commissioner of Cuttack in 1818 and had first hand knowledge of the administration of Orissa of that period. His work 'An Account of Orissa Proper or Cuttack' was first published in 1825. In that work he explicitly stated that the revenue derived from the salt monopoly in Orissa was more than the land revenue of the province. The salt sold within the province yielded a net return of about 3 lakhs of rupees and the quantity annually exported to Sulkia for public sale produced about 15 lakhs of rupees. Thus, the net revenue derived from salt monopoly was about 18 lakhs of rupees annually.[1]

In course of time the net revenue derived from the retail sals in the Province increased after smuggling had been prevented and better facilities afforded to the merchants for internal trade. In 1853-54 the net revenue from the retail sales in three agencies of Orissa amounted to Rs. 8,96,173.[2] So also, when the total production in three agencies of Orissa increased under better management, and consequently the quantities of salt exported to Bengal increased considerably, the net profit from the public sale at Sulkia soared high. In three years from 1842 to 1845, the amount was Rs. 51,18,796 or more than 17 lakhs of rupees on annual average.[3] In 1853-54 when the export of salt from Orissa was about 12 lakhs of maunds and the Government duty was Rs. 2-8 annas per maund, the net profit would have been about 30 lakhs of rupees. Thus, the net revenue derived from the salt monopoly in Orissa both from local sale in the province and public sale at Sulkia was about 39 lakhs of rupees towards the end of the Company's rule. It was much higher than the land revenue of the province and constituted the biggest single item in the total revenue of Orissa. The most minute care, which the Government took from the manufacture of the article till it reached the hands of consumers and particular attention, which was given to every details of the management of the depart-

[1] *Ibid.*, p. 37.

[2] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, Appendix C, No. 6.

[3] PP, HL, 1847, Vol. 41, East India Salt Monopoly, pp. 4-5.

ment, were the factors responsible for such high profits.*

The correspondences of the Government officials revealed a good deal of concern about the profit from the monopoly, but they were peculiarly silent about the welfare of salt-makers in particular and the people in general. The salt-makers or 'malangis' who were hired by the Government to manufacture the article were remunerated at a very low rate. They maintained themselves with that minimum subsistence and even at times on a starvation point. They were forced to work for the Government because many of them had no other means of livelihood. The rate of payment to those poor people varied from 5 annas to 8 annas only per maund of salt whereas the Government duty for the same was as high as Rs. 3 and was lowered to Rs. 2-8 annas only. The people in general were affected by the high price of salt. It was abundantly produced in the coastal region and was sold at a cheap rate before the British occupation of Orissa. The Government monopoly raised the price to a great extent and the people were bound to pay that high price to procure this common article of their daily food.

It is certain that the huge profit from the public sale of salt at Sulkia did not find its way to Orissa and was never utilized for the benefit of the people. The amount derived from the local sales in the province was invested in the production of salt and management of the department. No doubt the revenue derived from the salt monopoly was 'entirely the creation of the British Government', but perhaps no other source of revenue was so entirely based on narrow commercial outlook of the Company.

Conseqnently, it evoked much criticism from the contemporary writers. Lt. Col. James Caulfield in his 'Observations on our Indian Administration' remarked that salt being an indispensable article and one that must be procured at any hazard by all classes should be 'left unshackled to the public'. He advocated that the Government should allow "a free and un-

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* It "formed the second principal source of revenue to the Company's Government in Bengal, the net annual receipt from it often exceeding a crore of rupees, and sometimes even amounting to one crore and a half." —H.R. Ghosal, *Economic Transition in the Bengal Presidency (1793-1833)*, p. 102.

restrained use of this simple necessary of life.[1] J. Sutherland admitted the 'defencelessness' of the salt monopoly.[2] J.W. Kaye, in his well-known work on 'The Administration of the East India Company' could not also defend the system. He remarked : "Of all the great sources of Indian Revenue not one has been so much assailed as the monopoly of salt. It is here that the philanthropists will find his most palpable object of censure, the partisan of free-trade his most vulnerable point of attack, and the advocate of the Company his least defensible position."[3]

Even George Plowden, who was appointed as the Commissioner in 1853 by the Government of India 'to enquire into and report upon the manufacture and sale of and tax upon Salt in British India', had to report against monopoly. He found that the tax was 'very productive' and it was raised at 'a small proportionate cost'. He calculated that only 8 annas reduction in duty would involve a loss of 36 lakhs of rupees in the Bengal Presidency including Benaras. Of course, the people were accustomed to pay it without complaint. But it pressed hard upon labourers and other poor people of India. He stated : "I am very strongly of opinion that the tax is positively too high, even at its present reduced rate. A Tax of 500 per cent appears to me a very high Tax to impose upon any one article of consumption, when naturally the article in question is comparatively very dear in the territory to which the Tax applies." However, Plowden could not advocate for abolition of the tax as it was 'impossible to point out any equally productive source of revenue' in India.[4]

The only redeeming feature of the British salt monopoly in Orissa was that to some extent it encouraged the trade and commerce of the province while they were in a process of decay. The certainty of profit in the export of salt from Orissa to Sulkia 'golas' led to the construction of large number of boats at Balasore and other smaller ports of the province. When the export of salt was over for a season, those vessels

[1] James Caulfield, *Observations on Our Indian Administration*, p. 83.

[2] J. Sutherland, *Sketches of the Relations subsisting between the British Government in India and the Different Native States*, p. 21.

[3] J.W. Keye, *The Administration of the East India Company*, p. 670.

[4] PP, HC, 1856, Vol. 26, Report on Salt in British India, Part III, Bengal, pp. 175-84.

were engaged in transporting surplus agricultural products of the province and some other articles to different parts of the country. The port of Balasore flourished due to the export of huge quantities of salt from the place. The abolition of salt monopoly gave a death blow to the commercial activities of the people of Orissa.*

In conclusion it may be pointed out that the salt monopoly continued only for four years more after the end of East India Company's rule in India. In course of time the strong prejudice of Indians against the Liverpool salt vanished on account of its low prices. On the other hand, the Government manufactured salt showed a constant tendency of becoming more expensive. Consequently, by 1862-63 Liverpool salt had complete possession of the market.[1] In 1863 the Government abandoned salt manufacture and the salt agencies were closed. The operations were brought to an end in Balasore on February 28, 1863, in Cuttack on April 23, 1863, and in Puri on June 30, 1863.[2]

The 'malangis' were absorbed in agricultural pursuits, but they remained in the field as surplus labourers and their services were utilized in good seasons. In time of seasonal calamities they were first to be thrown out of employment. In the terrible famine of 1866 they were the worst sufferers especially in the lake 'aurangs' of Puri agency where they had no other means of livelihood except the manufacture of salt.

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* Autobiography of Fakir Mohan Senapati (one of the foremost litterateur in Modern Orissa), pp. 18-22. He was born at Balasore in 1843. The British authorities also held the same view.

1 C.E. Buckland, *Bengal under the Lieutenant Governors*, Vol. I, pp. 286-87.

2 *Annals of Indian Administration*, Vol. VIII, p. 302.

6 Administration of Excise and Customs

A. EXCISE

The Marathas, it appears did not give any attention to the regulation of excisable articles such as opium, spirituous liquors, etc., in Orissa, and perhaps they derived no revenue from this source. Spirituous liquors were manufactured and opium was sold without any restriction in the province.[1] The British Government took notice of the matter immediately after their conquest, and in course of time the revenue derived from excisable articles became one of the main sources of the public revenue of the State.

For the sake of convenience, the administration of 'abkari' revenue of Orissa during the period under consideration may be divided into three phases, the first phase from 1804 to 1828, the second from 1829 to 1847, and the third from 1848 to 1858. During the first phase the management and collection of the 'abkari' revenue was in the hands of a single Collector of land revenues of Mughalbandi. From 1829 it passed to the hands of three Collectors appointed for three divisions of the same. In the last phase a new system of 'abkari' management was experimented but it was finally abandoned.

FIRST PHASE : 1804-1828

Although the British officers took notice of the subject and established the department of 'abkari' almost at the very beginning of their civil administration in Orissa, yet they took sufficient time to develop it. In their report to the Government on September 2, 1805, the 'Commissioners for the affairs of Cuttack' pointed out that the average receipts in the department of 'abkari' for a period of six months had

[1] G.Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 66.

been sicca Rs. 936 and the expense sicca Rs. 182 per month.[1] Perhaps it was on account of such a small profit from the department that the Government neglected it for a number of years. It had also been pointed out that the people were generally too poor to indulge in excisable articles. Though the excise regulations of Bengal had previously been extended to Orissa, it was not until 1814 that any special attention was paid to the subject.[2]

The management and collection of the 'abkari' revenue was in the hands of the Collector of land revenues in the province. But at the same time the Magistrate was also required to concur in the policies which were to be adopted by the Collector. The supervision of this branch of public revenue at first lay in the Board of Revenue, but in 1819 it was transferred to the newly established Board of Customs, Salt and Opium.[3]

In the initial period of 'abkari' administration, the Government did not take part in the manufacture of excisable articles, such as, spirituous liquors. It generally gave licenses to certain persons to open shops for the sale of spirituous liquors, opium and 'tari'* at a fixed rate of tax. In 1812 the Collector suggested to the Board of Revenue for reduction of the rate of tax and to increase the number of shops for the sale of excisable articles. He stated that during the last year not more than one third of the number of estimated shops were actually licensed. Even some of those shops were closed at different period of the year. Therefore, it was evident that the former rates were generally very high which prevented the dealers from opening the shops. He also pointed out that the high rate of tax led to unlicensed manufacture and sale of spirituous liquors in considerable extent. So he suggested that the rate of tax should be reduced for shops in the mofussil, if not in towns. By adoption of such measure there was reason to hope that the 'abkari' revenue would rise upto Rs. 15,000 whereas in 1811-12, the revenue realized on this head was Rs. 10,280 only.[4]

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1 BJ(C)P, No. 27 of September 5, 1805, Commissioners to Government, September 2, 1805.

2 G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 66.

3 PBR (Miscel), No. 17 of September 29, 1812, Collector of Cuttack, to Secretary to Board of Revenue, September 18, 1812.

* Fermented juice of palm tree.

4 *Ibid.*

The Collector had no objection on moral grounds for the establishment of large number of shops for sale of spirituous liquors in the province. Because, as he judged, unlike Bengal robberies of any description were 'very infrequent' in Orissa and gang robberies were unknown. Also the number of shops estimated for Orissa was much smaller than those established in other parts of the country in proportion to the extent of area and the number of inhabitants. So, it was not expected that the establishment of a large number of 'abkari' shops would corrupt the morals of the people. However, the Magistrate objected both to the proposed decrease of the rate of tax and the increase of the number of 'abkari' shops. As he did not concur with the views of the Collector, the matter was reported to the Board of Revenue for final settlement.[1] The Board supported the views of the Magistrate and directed the Collector to act accordingly.[2]

On August 21, 1813, the Governor-General in Council passed a regulation regarding the manufacture and sale of spirituous liquors, intoxicating drugs and 'tari' etc. This regulation, the regulation 10 of 1813, also made some arrangements for better management of the 'abkari' revenue in the Presidency.[3]

It was thought desirable with a view to more effectual prevention of the unauthorized manufacture and sale of spirituous liquors, distilled according to the country process, that distilleries should be established at or near each city or town at which a Collector of land revenue resided and subsequently at other places. Each was to be known as the 'sadar distillery' of the district in which it would be established. The regulation further provided that no other distilleries should be constructed or worked within 8 miles of any such distillery. Each sadar distillery was to be placed under the immediate charge of a native superintendent or darogah who would keep all accounts and would be responsible to the Collector. No liquor was to be removed from the

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[1] PBR (Miscel), No. 17 of September 29, 1812, Collector of Cuttack, to Secretary to Board of Revenue, September 18, 1812.

[2] *Ibid.*, No. 18 of September 29, 1812, Secretary to Board of Revenue to Collector of Cuttack, September 29, 1812.

[3] H.Shakespear (Compiler), *An Abstract af the Regulations of Government*, Vol. IV, p. 119.

distillery without a regular pass. Beyond 8 miles of the sadar distilleries, a license might be issued to authorize the establishment of a distillery by any individual and the rate of duty of that distillery was to be fixed by the Collector.[1]

'Tari' was not to be sold, whether in a fermented or unfermented state, except under licenses from a Collector or other officer in charge of the 'abkari' department for which the dealers were required to pay a daily tax to the Government. Intoxicating drugs (including opium) was also not to be sold without the above noted process. However, the Government did not allow, on the grounds of public moral and health, the sale of such articles known as 'churrus', 'muddut' and 'koppah' which were of most noxious quality and highly prejudicial to health.

The retail sale of opium under the provisions of this regulation was confined to one or two of the principal towns in each district. It was declared to be the duty of the Collector to discourage to the utmost extent the sale and consumption of opium except for medicinal purposes. As the production and sale of opium was a monopoly of the Government, the Collectors or other officers in charge of the department were required to state to the Board of Trade from time to time the quantity which might be needed for consumption of their respective districts. The licensed retail dealers of opium were required to pay, in addition to the daily tax which might be established, a sum of ten rupees per seer for all opium received by them.[2]

The 'abkari' darogahs were to be appointed for collection of the tax. The regulation empowered them to apprehend and send to the Collector any individual who possessed any unlicensed distillery or was engaged in the illicit sale of spirituous liquors, 'tari', or intoxicating drugs. Any person who might be convicted of such illicit manufacture or sale should be liable to the payment of a fine not exceeding Rs. 500 or imprisonment not exceeding 6 months. It was required that the persons, desirous of taking out licenses for manufacture and sale of spirituous liquors, drugs, opium, 'tari' etc., should give the security of two responsible persons

[1] Regulation 10 of 1813.
[2] *Ibid.*

for due performance of their engagements or deposit cash equal to the amount of tax for 20 days. Licenses for manufacture and sale of 'abkari' articles were to be issued for one year only and liable to be cancelled for non-payment of duty for 15 days. The dealers were to be permitted to surrender their licenses with 15 days' notice or on payment of a sum equal to the tax of 15 days over and above the usual payment. Lastly the regulation provided that the Collectors of land revenue were to be ordinarily entrusted with the 'abkari' collections and they were to receive a commission of 5% on the net amount realized by them.[1]

This regulation 10 of 1813 formed the basis of future 'abkari' administration in Orissa. According to this regulation the first public distillery was built at Cuttack in 1814 at an expense of more than eight hundred rupees.[2] Three kinds of spirituous liquors were prepared at the distillery, such as, liquor from sugar or molasses; liquor from grain, generally rice; and liquor from the blossom of 'mowah' tree. The cost of manufacture of the first kind of liquor was about 7 annas per gallon, and it was sold for about 14 annas. The other two kinds of inferior liquors cost from 2 annas to 5 annas, and they were sold from 4 annas to 12 annas per gallon. The retail liquor shops paid a tax of 6 annas per day in 1814.[3]

Before 1814 the 'tari' sellers paid a tax to the Government in a peculiar form. The zamindars realized some rent for each palm tree from which 'tari' was prepared by them. On that basis, the 'tari' sellers paid a tax of 25% on the rent paid by them to zamindars. The system was changed in 1814 and a daily tax of 4 annas per shop was imposed on the 'tari' sellers.[4] In 1815 the Collector ascertained that the revenue derived from the produce of the sadar distillery was impaired by large sale of 'tari' within its prescribed limits. It was an article which, in consequence of low rate of fees for licenses, was sold at a low price. The common people generally consumed

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[1] Regulation 10 of 1813.

[2] PBR (Excise), No. 14 of April 4, 1815, Secretary to Board of Revenue, to Collector of Cuttack, April 4, 1815.

[3] G.Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 66.

[4] *Ibid.*, p. 67.

it in large quantities and particularly 'Tamilies'* used it for preparing bread. In order to raise the 'abkari' revenue the Collector cancelled the licenses granted to the 'tari' shops in Cuttack town at the low rate of 4 annas per day and offered them at the increased rate of two rupees. In raising the tax so high, his intention was either to prevent the introduction of 'tari' within the town of Cuttack, or to increase the price to such an extent as to induce those who were addicted to the use of that beverage to relinquish it altogether and take to other spirituous liquors produced by sadar distillery. He, of course, argued that by encouraging the use of such liquors, he was not going to corrupt the morals of the people. On the contrary, he was of opinion that it would have a different effect. 'Tari' in a fermented state when consumed in excess was equally pernicious as spirituous liquors. He knew that the sale of 'tari' was very extensive in Cuttack. Therefore, if the rate would be raised according to his proposal, it might be expected that it would check the rapid sale of 'tari' and would improve rather than corrupt the morals of the people. It would compel those who were habituated to take intoxicating liquor to an excess to use it medicinally or on particular occasions.[1]

The 'tari' sellers, however, declined to take licenses at the increased rate and their shops were closed. The Government lost small amount of 'abkari' revenue on that account but gained much from the increased sale of liquors from the sadar distillery. The Collector had no desire to stop the sale of 'tari' in the town fully. So he directed those who might be desirous of disposing the article to bring it to the sadar distillery where a tax at the rate of 4 annas per one-half gallon was to be levied before its removal for sale. The whole purpose of such proceedings, as the Collector admitted, was to raise the 'abkari' revenue.[2]

But the Board of Revenue did not agree with the views of the Collector of Cuttack. They pointed out that the licenses for the sale of 'tari' were granted at specific rates, and they could not be cancelled without a breach of some of the condi-

* They came from South India and settled in Orissa.

1 PBR (Excise), No. 13 of July 14, 1815, Collector of Cuttack, to Secretary to Board of Revenue, July 3, 1815.

2 *Ibid.*

tions contained therein. They, of course, admitted that the excessive sale of 'tari' caused the fall of 'abkari' revenue from the production of sadar distillery and that was also the complaint from other parts of the Presidency. But the Board found no means of amending it without a total prohibition of the use of 'tari' which they considered arbitrary and illegal. The augmentation of the revenue, in their opinion, was certainly desirable. But it was not to be effected by a breach of public faith like the cancellation of licenses of 'tari' sellers. It was also not desirable to bring down the sale of 'tari' only to increase the sale of other spirituous liquors. The argument of the Collector sounded like the suppression of 'one evil to promote another and a greater one'.[1] It is evident from this fact that the Government did not like to follow a policy of encouraging the sale of spirituous liquors for the sake of larger revenue.

On August 15, 1815, the Collector of Cuttack proposed a small increase of tax on the sale of spirituous liquors. He was aware that it would not raise the price of spirits beyond the means of consumer, and thus it would not encourage any illicit trade. He further desired that it would be better to include the town of Puri within the jurisdiction of sadar distillery of Cuttack, and liquors might be supplied to the former town and its vicinity from the latter. The purpose was to increase the 'abkari' revenue of the province which was rather small in comparison to other departments.[2] The Board approved of the proposed settlement of the 'abkari' revenue of the province by raising the tax. But as regards the proposal to include Puri in the jurisdiction of sadar distillery of Cuttack, the Board considered it wholly impracticable. However, they wanted to know the opinion of the Collector regarding the expediency of establishing a separate distillery in the vicinity of the town of Puri.[3]

On April 16, 1816, the Board of Revenue issued a circular to several Collectors, including the Collector of Cuttack, on

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[1] PBR (Excise), No. 14 of July 15, 1815, Secretary to Board of Revenue to Collector of Cuttack, July 14, 1815.

[2] *Ibid.*, No. 22 of August 25, 1815, Collector of Cuttack, to Secretary to Board of Revenue, August 15, 1815.

[3] *Ibid.*, No. 23 of August 25, 1815, Secretary to Board of Revenue, to Collector of Cuttack, August 25, 1815.

the position of the sadar distilleries. It was observed that the establishment of such distilleries had served no useful purpose, and so their continuance was generally inexpedient. Accordingly the Collectors were directed to discontinue such establishments.[1]

Inspite of the circular from the Board of Revenue, the sadar distillery of Cuttack continued upto 1820. In the beginning of 1818, the distillery was taken under 'khas' management of the Government as the darogah absconded after committing gross frauds, and subsequently it was abolished.[2]

On March 4, 1818, the Collector reported to the Board that in consequence of their orders not to give licenses to shops in the mofussil for the sale of liquor at a lower rate than 4 annas per day, only a few shops had been licensed. Consequently the 'abkari' revenue decreased, and so he suggested that licenses should be issued at the rate of 3 annas.[3] The Board permitted him to reduce the rate of licenses in the mofussil to 3 annas.[4]

Besides the spirituous liquors and 'tari', opium was another important 'abkari' article consumed by the people of Orissa. The poppy was not cultivated in any part of the province. But it was supplied abundantly from outside. Balasore and its adjacent areas got opium from Bihar where the poppy was cultivated by the people on the Government's account. It was purchased in small quantities from those cultivators by merchants and smuggled to Balasore by a short route that ran through Mayurbhanj and neighbouring estates to escape from Government regulations. Cuttack and Puri were partly supplied from Nagpur and Chotanagpur and partly from Ganjam. But it was not procured with such facility and in such large quantities as it was done at Balasore, and so, the price was much higher at Puri and Cuttack than Balasore. Though large quantities of opium were consumed by the people, yet the Government did not take notice of it till 1814. Consequently, the

[1] PBR (Excise), No. 50 of April 16, 1816, Circular to Collectors.

[2] *Ibid.*, No. 41, of March 24, 1818, Collector of Cuttack, to Secretary to Board of Revenue, February 19, 1818.

[3] *Ibid.*, No. 43 of March 24, 1818, Collector of Cuttack to Secretary to Board of Revenue, March 4, 1818.

[4] *Ibid.*, No. 53 of March 24, 1818, Secretary to Board of Revenue to Collector of Cuttack.

revenue derived from opium was very small. The regulation 10 of 1813, as it has been noticed earlier, suggested some specific measures for the sale of opium which the authorities in Orissa were required to enforce. However, they failed to open retail shops for the sale of opium in the province immediately, and therefore, strong measures were also not adopted to prevent extensive illicit trade in opium.[1]

In 1815 the Board of Revenue sanctioned the establishment of a few shops in the province for the retail sale of opium and directed that it should be sold at as high a price as might be procurable with convenience to consumers. It was decided that a salary of 5 rupees per month and a commission of 2½ per cent on the total amount of sale would be sufficient for the venders of opium. Besides these emoluments, an allowance of one rupee per month was to be paid to each vender for the rent of a house to be occupied for the shop.[2] In August 1815, the first supply of the Government opium was received from the Board of Trade, Calcutta. It was only 3 chests of opium, each chest contained 40 cakes but the exact weight was not known. The Collector immediately pointed out that the quantity of opium he received was sufficient to meet the demand for two months only and pleaded for further supply.[3] For that inadequate supply, shops were opened for the retail sale at Puri and Cuttack but it was not possible to open them at Balasore and Jajpur.[4] However, subsequently shops were opened at those places, and by 1816 the number of shops for the sale of opium in Orissa had increased to thirteen.[5]

Inspite of the opening of such Government shops at different places of the province, the Collector found that only small quantities of opium were sold from those shops. The reason was that it was of such inferior quality as to be nearly

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[1] PBR(Excise), No. 9 of May 26, 1815, Collector of Cuttack to Secretary to Board of Revenue, May 19, 1815.

[2] *Ibid.*, No. 10 of May 26, 1815, Secretary to Board of Revenue to Collector of Cuttack, May 26, 1815.

[3] *Ibid.*, No. 20 of August 15, 1815, Collector of Cuttack to Secretary to Board of Revenue, August 7, 1815.

[4] *Ibid.*, No. 22 of August 25, 1815, Collector of Cuttack to Secretary to Board of Revenue, August 15, 1815.

[5] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 68.

unfit for use, and consequently, a vast quantity of illicit opium was smuggled through the neighbouring hill tracts. The estimated quantity required for the province was 30 maunds per year but the Government sale showed that only one-third of that quantity had been disposed of.[1] To eradicate the evil, the Collector proposed to introduce a new system for the sale of opium in Orissa. He wanted to give licenses to the principal venders jointly for the total number of shops in the province, and believed that they would engage to take 30 maunds of opium at the rate of 15 rupees per seer. The amount, which would thus accrue, would be Rs. 18,000, and including a tax of Rs. 500 per month, the sum-total of the sale of opium would become Rs. 24,000 per annum. The Collector further pointed out that if he would be permitted to establish shops in the Tributary Mahals, he was certain to get a tax of Rs. 100 per month. By the adoption of such a plan, he hoped, expenses for the licensed venders would be saved, certainty of the sale would be ensured, and smuggling would be effectively checked.[2] But the Government did not concur with his views as it was incompatible with the 'abkari' regulations and the suggestion therefore was dropped.[3]

Early in 1817, the Collector reported to the Board of reveune about difficulties which the Government venders faced at Balasore for the opening of opium shops in the Danish settlement. The settlement, known as the Dinamardinga, was within the limits of the town of Balasore and one Prinzling, the agent of the Danish Government, established certain shops for the sale of opium with the help of local people.[4] It was understood that contraband opium were likely to be introduced by those shops and sold at cheap rates. In consequence the Government venders would suffer. The Board of Revenue agreed with the views of the Collector and re-

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[1] PBR (Excise), No. 3 of October 15, 1816, Collector of Cuttack to Secretary to Board of Revenue, October 4, 1816.

[2] *Ibid.*

[3] PBR (Excise), No. 12 of February 11, 1817, Secretary to Board of Revenue to Collector of Cuttack, February 11, 1817.

[4] *Ibid.*, No. 5 of March 14, 1817, Collector of Cuttack to Secretary to Board of Revenue, January 28, 1817.

presented the matter to the Governor-General in Council.[1] Before taking any decision on the matter, the Collector was directed to exert himself to prevent any contraband opium being carried to or from that place. As regards the smuggling through the Tributary Mahals, the Governor-General in Council were of opinion that it would be very inexpedient to extend the 'abkari' regulations to those territories and were not prepared to adopt any specific measure for its prevention. However, the Collector and his officers were directed to use their utmost vigilance to prevent the illicit importation of opium from those Mahals in question.[2]

It was a difficult task to control the illicit trade in 'abkari' goods in the province. In 1816 there were only 8 peons at Rs. 3 each per month for that purpose. The Collector thought them as totally useless. When they visited the mofussil areas, they only sat at one of the licensed shops and never enquired about the illicit manufacture of liquor or the unauthorized sale of intoxicating drugs. Therefore, he proposed to change the system altogether and wanted that a 'jamadar of circuit' should be appointed on a salary of Rs. 10 per month with 4 peons to serve under him. He was to be entrusted with the duty of moving about constantly from place to place and was required to submit weekly reports of his proceedings. Such an arrangement, the Collector believed, would not only check the illicit manufacture of liquor but also serve to increase the tax from 'ganja' and opium which were sold without license in many parts of the province. About 'ganja', he was of opinion that it was grown 'in every garden or compound'. He also believed that it would raise the tax on 'tari' about which he had very limited and unsatisfactory knowledge. In order to stimulate the jamadar and peons in their exertions, he suggested that they should be permitted to take 12% on the value of all seizures and fines for illicit transactions.[3] The Government agreed to his proposals and autho-

1 PBR (Excise), No. 7 of March 14, 1817, Board of Revenue to Government, March 14, 1817.

2 *Ibid.*, No. 30 of April 25, 1817, Secretary to Government to Board of Revenue, March 28, 1817.

3 *Ibid.*, No. 13 of September 17, 1816, Collector of Cuttack to Secretary to Board of Revenue, September 3, 1816.

rized him to appoint a jamadar and 4 peons for the said purpose.[1] However, the success of the plan was open to doubt as the staff provided were quite inadequate for the whole province.

The total revenue derived from different kinds of 'abkari' articles in the province steadily increased. In 1808-9 it was sicca Rs. 9,123. In 1809-10 it was sicca Rs. 9,582, and in 1810-11 it was sicca Rs. 9,644.[2] By 1814-15, the amount had increased to Rs. 15,000.[3] Ten years after in 1824-25, the amount had gone upto Rs. 40,793, and by 1827-28, it further increased to Rs. 42,176.[4]

SECOND PHASE : 1829-47

Towards the end of 1828 an important administrative change took place in Orissa. The Mughalbandi was divided into three districts with one Collector for each district. Therefore, the administration of 'abkari' revenue passed from the hands of a single Collector to three Collectors. The superintendence of the 'abkari' revenue was entrusted to the local Commissioner from March 1, 1829, subject to the control of the Board of Customs, Salt and Opium.

Besides these administrative changes, a new system was introduced in the 'abkari' management also. Formerly, the licensed venders of 'abkari' articles were required to pay their taxes at a uniform rate for the whole year. In the new system it was provided that the venders should pay their dues not in the uniform rate but according to the seasons of their sale. It wanted to apportion about two-thirds of the yearly tax on the six months during which there was maximum demand for liquors.[5]

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[1] PBR (Excise), No. 14 of September 17, 1816, Secretary to Board of Revenue to Collector of Cuttack, September 17, 1816.

[2] *Ibid.*, No. 31 of November 30, 1810, Board of Revenue to Government. Also, No. 20 of September 13, 1811, Board of Revenue to Government.

[3] *Ibid.*, No. 22 of August 25, 1815, Collector of Cuttack, to Secretary to Board of Revenue, August 15, 1815.

[4] PBC, No. 22 of May 21, 1846, Commissioner of Cuttack to Secretary to Board of Customs.

[5] CRR, Acc. No. 90, Secretary to Board of Customs, Salt and Opium, to Commissioner of Cuttack, November 3, 1829.

In 1830 the Board supplied improved quality of opium for retail sale in Orissa. Previously the rate at which the opium of inferior quality was sold in the province was sicca Rs. 22-11-9 pies per seer. The venders were allowed the profit of one rupee per seer for the whole quantity of opium sold by them. The Government received sicca Rs. 21-11-9 pies per seer of opium out of which 5 rupees were credited to the opium department as the cost of manufacture, and thus the rest amount of Rs. 16-11-9 pies per seer was left for the 'abkari' tax.[1] When superior quality of opium was supplied from June 1830, the Board ordered that the price should be raised to sicca Rs. 25-8 annas per seer. But the Collector of Cuttack suggested that 25 rupees per seer should be the rate so that after crediting 5 rupees per seer to the opium department as its cost of manufacture, it would leave exactly 20 rupees per seer to the 'abkari' Department.[2]

The Collector further suggested that as the period of renewing the 'abkari' 'pattas' was close at hand, that is, 1st of 'Aswina' or September 14 next, the terms of the 'pattas' should be reviewed. The venders of opium were entitled to a nominal profit of only one rupee per seer which was decidedly too low. Consequently, they took recourse to various methods of adulterating it and also cheated the consumers in weight. He, therefore, proposed that they should be permitted to raise the retail price of the drug to that extent which would bring them the profit of at least 5 rupees per seer. That would deprive them also of all plea of inadequate profit and would justify the strictest measures to punish adulteration of the drug.[3] But as it seems, his proposals were not accepted and opium was sold at the rate fixed by the Board under the terms and conditions which prevailed before. Early in 1838 the price of opium was raised to Rs. 30-13 annas per seer.[4]

On September 18, 1838, the Commissioner, for the first time, submitted a comparative statement of the 'abkari'

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[1] CRR, Acc. No. 93, Collector of Cuttack to Commissioner, August 13, 1830, No. 120.

[2] *Ibid.*,

[3] *Ibid.*,

[4] PBCSO, No. 22 of April 20, 1838, Commissioner of Cuttack, to Secretary to Board of Customs, Salt and Opium, April 3, 1838.

revenue of the province to the Board of Customs, Salt and Opium for the years 1837-38 and 1838-39. That statement showed the number of 'abkari' shops which existed in three districts of the province.[1]

Comparative Statement of 1837-38 and 1838-39

(i) Balasore district :—[2]

Abkari articles	*No. of shops 1837-38*	*Amount realised* Rs. As.Ps.	*No. of shops 1838-39*	*Amount realized* Rs. As.Ps.
Opium	2	13,456-14- 8	1	12,648- 0- 0
Liquor	6	556- 6- 5	6	595- 0- 5
Ganja	4	841-14- 6	4	771-13- 2
Tari	22	463-12-10	22	471- 7- 4
		15,319-0-5		14,486- 4-11

(ii) Cuttack District :—[3]

Opium	1	8,528- 1- 2	1	7,488- 0- 0
Liquor	18	2,201- 8- 6	15	2,674-12- 3
Ganja	1	3,102- 8- 0	1	2,737- 8- 0
Tari	150	2,163-10- 7	138	1,883-14-11
		15,995-12- 3		14,784- 3- 2

(iii) Puri District :—[4]

Opium	6	1,169- 0- 0	6	2,325- 0- 0
Liquor	31	1,382- 7- 5¼	21	1,968-13- 2
Tari	50	1,017-15- 3½	50	1,017-15- 3½
Ganja	7	1,043-10- 0	7	—
		4,613- 0- 8¾		5,311-12-5½

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[1] PBCSO, No. 44 of October 11, 1838, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, September 18, 1838.

[2] *Ibid.*, No. 45 of October 11, 1838, Collector of Balasore to Commissioner, August 16, 1838.

[3] *Ibid.*, No. 46 of October 11, 1838, Collector of Cuttack to Commissioner, August 10, 1838.

[4] *Ibid.*, No. 48 of October 11, 1838. Collector of Puri to Commissioner, September 12, 1838.

Towards the end of 1839, the question of re-establishing sadar distilleries in the province was raised by the Board. The Commissioner gave a circular to the Collectors of three districts to ascertain their views on the matter. The Collector of Cuttack reported that the amount of daily tax realized from the liquor shops situated in the town of Cuttack and within 8 miles from it was 14 rupees and the expense for collection was 3 per cent only. He was of opinion that by a change of the system a larger amount of tax might be collected only with greater expense in the charges for collection. At the same time it would lead to much annoyance of the people by an expensive introduction of the spy system. In that connection, he also pointed out that the working of the sadar distillery at Cuttack was discontinued in 1820 as it was found more advantageous to the Government to grant licenses to the people for running their own distilleries.[2] The Collector of Balasore reported that the establishment of a sadar distillery at Balasore was, in his opinion, 'neither advisable nor likely to be profitable to Government'.[3] The Collector of Puri also did not anticipate any increase of revenue from the establishment of a sadar distillery and did not, therefore, recommend the plan.[4] The Commissioner agreed with the views of the Collectors. He finally reported to the Board that spirituous liquors manufactured at the licensed distilleries were much cheaper than the products of former sadar distillery established by the Government. The financial advantages were on the sides of former ones. So he rejected the idea of re-establishing sadar distilleries by the Government.[4]

However, the said arguments did not convince the Board. It was remarked : "To suppose that the population of the Province of Cuttack amounting to above 2 millions consume only so much spirits or intoxicating drugs in a year as is represented by an Abkary Revenue of not more than about 4000 pounds sterling appears altogether preposterous." From the report of the Collector of Cuttack, the Board inferred that he

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[1] PBCSO, No. 4 of January 30, 1840, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, January 8, 1840.

[2] *Ibid.*

[3] *Ibid.*

[4] *Ibid.*

gave licenses to individuals to work out their own distilleries. They wanted to know how he prevented the abuse of a man's taking out a license to maintain only one distillery but in reality established two distilleries, or the abuse of a dealer who took license to establish one distillery of certain capacity but in reality maintained one of higher capacity. If no precautions were taken to check such things, the Board remarked, it was certainly a matter of regret for the 'abkari' department. On the other hand, if precautions were taken, the Board believed that any other scheme was equally applicable to the province without any greater resort to the spy system than the existing one.[1]

But the Commissioner replied that things were different in Orissa. According to his observations : "The Ooriahs are not addicted to spirit drinking, none but the lowest caste and some Mussulmen indulge in it." But the Muslim population in Orissa was very small. As there were a few drinkers, change of the system would not bring any good result in the 'abkari' revenue of the Government. As regards the abuse of licensed distilleries, he pointed out that it might be prevented by the 'abkari' officers. But the consumption of spirits or intoxicating drugs being very limited, he remarked :

"I am decidedly of opinion that the cost of such supervision will be more than the gain."[2] Thus the idea of establishihg sadar distilleries in the province was finally dropped.

In February 1844 the Collector of Cuttack detected a 'pass' signed by the 'abkari' department at Calcutta which permitted the person to import 'ganja' to Orissa. He reported the matter to the Commissioner that many persons were in such habits of bringing 'ganja' to the province. It led to serious loss of those who were granted licenses in Orissa and also illicit sale of the article could not be checked. Therefore, he solicited the interference of the Board to put a stop to the practice. He wanted that as a check against the illicit sale of 'ganja', the duplicates of 'passes' granted by the 'abkari' department at Calcutta should be sent to the Collector of the district to which it was

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[1] PBCSO, No. 5 of January 30, 1840, Secretary to Board of Customs, Salt and Opium to Commissioner of Cuttack, January 24, 1840.

[2] *Ibid.*, No. 45 of March 5, 1840, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, February 25, 1840.

to be imported. The Collector was to see that it was sold only by the licensed venders.[1] His suggestions were accepted by the Board, and he was informed accordingly.[2]

On April 28, 1846, A.J.M. Mills, the Commissioner, submitted a new scheme of 'abkari' management of the province for consideration of the Board of Customs, Salt and Opium. The system so far followed was to farm the vend of 'abkari' articles to the highest bidder. The preventive force which consisted of a darogah, a jamadar and two or three peons in each district was totally inadequate to suppress illicit manufacture. Generally they were in league with the venders to defraud the Government. There was no means of ascertaining whether the 'abkari' tax was proportionate to the consumption of such articles. The Commissioner was convinced from his experience that the system was most injurious to the interests of the Government revenue. In consideration of the area and population of the province, he could not believe that the average 'abkari' revenue was only Rs. 43,972 per year for the last ten years. Therefore, he thought that his scheme was worthy of trial as it combined 'efficiency with economy' and was calculated to improve the revenue of the department.[3]

He suggested that a new establishment of Rs. 1,307 per month should be granted and two 'abkari' Superintendents might be appointed in the province. As Puri was only 50 miles from Cuttack and a portion of the former district was nearer Cuttack, one Superintendent could supervise the 'abkari' affairs of both the districts. Of course, for the estate of Khurda which was administered by a Deputy Collector, the said officer might be entrusted with the 'abkari' management of the area under his fiscal charge. Besides the appointment of two Superintendents, he wanted to divide each district into certain divisions for the convenience of supervision such as, Cuttack into 5 divisions, Puri into 3 divisions, and Balasore into 4 divisions. In the headquarters of the sadar division of each district, one sadar darogah was to be stationed and in other divisions one

[1] PBCSO, No. 44 of February 29 1844, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, February 14, 1844.

[2] *Ibid.*, No. 46 of April 4, 1844, Secretary to Board of Customs, Salt and Opium, to Commissioner of Cuttack, April 3, 1844.

[3] *Ibid.*, No. 22 of May 21, 1846, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, April 28, 1846.

'muharrir' was to remain in charge of 'abkari' office. The sadar darogahs and 'muharrirs' were to be assisted by several peons each. Thus, an elaborate administrative set-up was planned out for the management of the department by which the Commissioner hoped to check illicit manufacture and sale of 'abkari' articles and raise the Government revenue to a higher extent. He also proposed, in the first instance, to establish sadar distilleries at Cuttack, Balasore and Puri and eventually in other divisions if circumstances favoured the measure. Finally the Commissioner himself was prepared to shoulder the responsibilities of supervising the new experiment along with his other 'burdensome' duties.[1]

The Board was of opinion that the proposed change was "in every respect desirable and worthy of being tested by being brought temporarily into operation (to be modified by experience)". So they submitted the scheme to the Government for approval. But it was not sanctioned immediately, and the Government desired to know more fully the nature of the system which the Commissioner wanted to introduce as well as the system which was to be superseded.[2] So the Commissioner had to explain the scheme once again to the Government. He pointed out that the system of farming out 'abkari' revenue to the highest bidder often degenerated into a monopoly most injurious to the public revenue. There was also no adequate preventive force to put down smuggling and illicit sale of drugs and prevent the establishment of illicit distilleries. He doubted that opium was smuggled to a large extent and often retailed even by the Government venders. The Collectors, over burdened with their multifarious duties, had no time to give personal attention to the department. Thus, the system which prevailed was 'radically a bad one'.[3]

The revised or new scheme which he proposed was similar to that in force under the Abkari Commissioners of Dacca and Calcutta. But he did not recommend the entertainment of so costly an establishment like those officers because he

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1 PBCSO, Nos. 22 and 24 of May 21, 1846, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, April 28, 1846.

2 *Ibid.*, No. 73 of June 25, 1846, Government of Bengal to Board of Customs, Salt and Opium, June 17, 1846.

3 *Ibid.*, No. 18 of July 23, 1846, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, July 17, 1846.

could form nothing but a vague conjecture as to the future enhancement of the 'abkari' revenue by the introduction of the new system. However, from the success of such schemes in Bengal, he could not but anticipate similar results in Orissa. On the whole, he proposed to establish sadar distilleries at the principal towns, to parcel out the districts into divisions, to place one darogah or 'muharrir' in each division, and to place the whole management under the direct supervision of an uncovenanted officer.[1]

The Government approved of the scheme and sanctioned the new 'abkari' establishment of Rs. 1,307 per month. The Commissioner wanted to begin the new establishment from December 1, 1846, so that the new staff might be familiar with the nature of their duties and localities of their divisions within a month, and the new system to fully function from January 1, 1847.[2] But as he wanted to leave for Europe owing to ill health, he proposed to postpone the new system till April 1, 1847 in order to give his successor some time to acquaint himself with the system. The Government accepted his views. F. Gouldsbury, who succeeded Mills as the Commissioner of Cuttack, reported to the Board in April 1847 that he was ready to undertake personal supervision of the experimental system. He also selected persons to be appointed to different offices for the same. But he wanted to adopt the rules which prevailed in Dacca and naturally it required some time to render them into Oriya. Even after that, he pointed out, it was necessary for the new establishment to make themselves acquainted with those rules before they began to discharge their duties. So he suggested that the introduction of the new system be deferred to a later period, i.e. August 1, 1847.[3] It was accepted by the Government.

THE LAST PHASE : 1847-1858

The last decade of the 'abkari' management of Orissa under the Company's rule began with the introduction of the new

[1] PBCSO, No. 18 of July 23, 1846, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, July 17, 1846.

[2] *Ibid.*, No. 43 of November 12, 1846, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, November 3, 1846.

[3] *Ibid*, No. 31 of April 29, 1847, Commissioner of Cuttack to Secretary to Board of Customs, Salt and Opium, April 7, 1847.

system on August 1, 1847. Two Abkari Superintendents looked into the details of management in the province under the guidance of the Commissioner.

Illicit trade in 'ganja' first attracted the attention of the new Commissioner. He found out that it was grown in large quantities in the province, especially in the districts of Puri and Cuttack. In Puri, where it was produced abundantly, it was utilized not only for private consumption but also for illicit sale. It had been customary for the Collectors to order the destruction of the plants whenever it was brought to their notice. But the Commissioner did not find any prohibition in the regulations against the cultivation of the plant for private consumption. Therefore, he wanted to know the opinion of the Board on the subject.[1] The Board informed that there was no law to prevent the cultivation of 'ganja' plant for private consumption. They instructed that the practice of destroying the plant which had prevailed in Cuttack and Puri districts should be discontinued. At the same time it was pointed out that the regulation 7 of 1824 provided penalties for persons not being licensed venders but found in possession of any quantity of 'ganja' exceeding that which the venders might legally sell or allow to be removed from their shops.[2]

In February 1851, one N.C. Das, the Abkari Superintendent of Cuttack, found out several illicit venders of 'ganja' who had obtained 'passes' from Calcutta. He wrote to the Excise Officer at Calcutta to ascertain whether those 'passes' were granted by him, and if so why his office was not informed of the matter. That officer merely replied that the 'passes' in question were granted by him. Therefore, the Abkari Superintendent of Cuttack requested the Commissioner to inform the matter to the Board of Revenue* so that they would instruct the officer in charge of Calcutta excise to prohibit such irregular practice in future. He observed that until such irregular practices were prohibited, there would

[1] PBCSO, No. 62 of November 3, 1847, Commisslooer of Cuttack to Secretary to Board of Customs, Salt and Opium, September 20,1847.

[2] *Ibid.*, No. 63 of November 4, 1847, Secretary to Board of Customs, Salt and Opium to Commissioner of Cuttack November 4, 1847.

* In 1850 the Board of Customs, Salt and Opium was dissolved, and its functions were taken over by the Board of Revenue.

be great loss to the Government revenue in the province.[1]

Towards the end of 1851, four years after the introduction of the new system of 'abkari' management in the province, the Commissioner reported its result to the Board of Revenue. The 'abkari' revenue was steadily increasing and the system had worked well. He attributed the success mainly to the exertions of the Superintendents. But the Government took a different view of the matter and wanted to place the department again in the hadds of Collectors. The Commissioner argued that it was a mistake to suppose that the Superintendents were of no use in the mofussil. They spent much of their time in the interior of their respective districts and the control which they exercised over the subordinate officers was much more effective than any supervision a Collector could bestow.[2]

He further argued that the five years which preceeded the introduction of the new system was the most productive years of the old system and the average annual revenue during that period (from 1842 to 1847) was Rs. 49,523-1-8½ pies. The first five years of the new system would be naturally the most unproductive ones as the revenue could not be expected to reach its maximum until the plan had been for sometimes in operation. The average annual revenue during the first five years of the new system (from 1847 to 1852) was Rs. 51,722-7-8½ pies. So, it was the convincing proof that the new system was better than the old.[3] He insisted that it was better to continue the prevalent system than to retransfer the 'abkari' department to the Collectors, and for economy, instead of two Superintendents, one Superintendent might be entrusted with the work in all the three districts with two assistants under him. The Board of Revenue was convinced and reported to the Government for continuing the system.[4] But the Govern-

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[1] PBR, No. 126 of March 13, 1841, Abkari Superintendent to Commissioner, February 21, 1851.

[2] *Ibid.*, No. 54 of July 23, 1852, Commissioner of Cuttack to Secretary to Board of Revenue, October 23, 1851.

[3] *Ibid.*, No. 56 of July 23, 1852, Commissioner of Cuttack, to Secretary to Board of Revenue, July 7, 1852.

[4] *Ibid.*, No. 58 of July 23, 1853, Board of Revenue to Government of Bengal, July 23, 1852.

ment allowed the continuance of the system for one year only and from 1853-54 the old system of supervision of 'abkari' revenue by the Collectors was re-introduced.[1]

Towards the end of 1853, Henry Ricketts, member of the Board of Revenue, visited the province and submitted reports to the Government about different aspects of administration of the province. In his report on the district of Cuttack, he drew the attention to the consumption of 'ganja'. There the taxed 'ganja' was only a portion of the total quantity consumed by the people. It was grown almost in all the Tributary Mahals near Cuttack and consumed in large quantities. But no attempt had been made, as he found, by the officers of the 'abkari' department to bring it under taxation. He suggested that the tributary chiefs should be instructed to prevent 'ganja' being brought into the plains except by those who had licenses from the Government.[2]

In his report on the district of Puri, Ricketts noticed that the proceeds from the 'abkari' department were insignificant. Out of the total amount of revenue derived from all 'abkari' articles, nearly two-fifth was received alone from 'ganja.'[3] It was perhaps due to peculiar habits of the people of that district who were addicted to that 'drug' more than anything else. Ricketts also found that the people of Balasore district were peculiarly addicted to opium which was the only 'drug' consumed by them in large quantity.[4]

In 1852-53 the net revenue collected from the 'abkari' department was Rs. 60,944. In 1853-54 the returns showed a decline. The charges of collection had increased with the change of the system in which the Deputy Collectors took charge of the 'abkari' department from the Superintendents. A portion of their salaries was charged from the department, and consequently there was a decrease of Rs. 3,012 in the net revenue. The number of persons arrested in the province

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[1] Report on the Abkari Revenue, 1853-54, Board of Revenue to Government of Bengal, January 3. 1855, No. 37.

[2] Report on the district of Cuttack, Henry Ricketts, 1853, pp. 72-3.

[3] SRG, Bengal, 1853, No. XXX, Report on the district of Puri, Henry Ricketts, 1853.

[4] SRG, Bengal, 1853, No. XXX, Report on the district of Balasore, Henry Ricketts, 1853.

for violation of the 'abkari' laws was 28 only, of whom 24 were convicted.[1]

In the year 1854-55, the net revenue collected from the 'abkari' department was Rs. 62,725, and in the next year, 1855-56, the amount further increased to Rs. 77,663. Out of this total increase of Rs. 14,938 in the revenue, however, Rs. 5,978 came from reduction of the charges of collection. The rest of the amount was due to strict enforcement of 'abkari' regulations which checked illicit trade to a great extent. The total number of persons arrested in this connection in the province was 166 and out of them 81 were convicted.[2] In 1856-57 the net revenue of the department increased to Rs. 83,742 and finally in 1857-58, the amount soared upto Rs. 93,667. The number of persons arrested for violation of the 'abkari' regulations in the latter year was 64 and only 31 were convicted.[3]

Thus, the administration of 'abkari' department of the province was to a great extent organized and the revenue had also substantially increased by 1857-58. The Government did not follow a policy of encouraging the consumption of any intoxicating article with a view to enhance the revenue. It also enjoined the officers not to encourage the substitution of one such article for another from any supposed idea of their comparative wholesomeness. The Government only legalized the process of manufacture and sale of 'abkari' articles. It also succeeded to check the illicit trade in those articles and derived some amount of revenue from the source which was not properly utilized by the Marathas.

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1 Report on the Akbari Revenue, 1853-54, Board of Revenue to Government of Bengal, January 3, 1855, No. 37.

2 *Ibid.*, 1855-56, Board of Revenue to Government of Bengal, January 27, 1857, No. 49.

3 *Ibid.*, January 24, 1859, No. 41.

B. CUSTOMS

The customs consisted partly of duties levied on the import and export trade of the country and partly of an inland transit duty. In ancient times Orissa was seafaring and her maritime activities resulted in establishment of colonies in the Indian Archipelago. The English established their factories in Orissa as early as the first half of the 17th century. As Hunter remarks : "True to our national character, we settled in Orissa as merchants long before we made our appearance as rulers"[1] The wealth and opulence of the province as well as the rich variety of manufactured goods allured them to establish their factories at Hariharpur (May 1633), Balasore (June 1633), and at Pipli (1634). Not only the English but also the French, the Danes, the Dutch and the Portuguese established their factories about the middle of the 17th century in Orissa. Balasore was the most important trading centre and port in Orissa, and all European trading nations had had their establishments in that town.[2]

But the decline of Balasore as a port was rapid and sudden. Two European travellers, Thomas Motte and Leekie, who passed through Orissa in the second half of the 18th century did not find its commercial prosperity at all. In 1766 Thomas Motte was sent on a mission to Sambalpur by Lord Clive. He started from Calcutta and passed through Balasore and Cuttack towards his destination and also returned through the same route. His 'Narrative of a Journey to the Diamond Mines of Sambalpur' is rather silent about the trade and commerce of the province. He only briefly stated that the European trading nations like the English, the French, the Dutch and the Portuguese had their factories at Balasore but failed to give any account of their commercial activities.[3] In 1790 Lord Cornwallis deputed George Forster on a mission to Nagpur. His party started from Calcutta on March 7, 1790, and passed through Balasore

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1 W.W. Hunter, *Orissa*, Vol. II, p. 37.

2 The Journal of the Bihar Research Society, Vol. XXXVI, Parts 3-4, Medieval Orissa's Sea ports : Balasore, pp. 148-74. Proceedings of the Indian History Congress, 14th session, Jaipur, Shipping and Maritime Activities of Orissa during the Muslim Rule, pp. 172-76.

3 *Early European Travellers in the Nagpur Territories* ; p. 4.

and Cuttack towards Nagpur. It included a certain Leckie who kept an account of the journey, and that was published by his brother, G.F. Leckie, in April 1800. Leckie passed through Balasore on March 22, 1790, and gave the following account : "Balasore was formerly a flourishing port, but their manufactory of the Sanoes (properly Sehun) cloths is very much fallen off, both in quality and quantity ; and the ruinous state of the English and Dutch factories, with the insignificance of the Danish one, seem to show that the trade is not of that consequence which it formerly was".[1] No further information is available from his accounts about the trade and commerce of Orissa. It is evident that the commercial prosperity of the province had gradually dwindled and by the end of the 18th century it was at its lowest ebb. However, when the British took the province in 1803, considerable quantities of rice and salt were still exported from the ports of Balasore, Dhamra and Chudamani.[2]

Soon after the conquest. on May 4, 1804, the Governor-General in Council passed certain rules for management of the department of customs in Orissa. From that period till the end of Company's rule, its administration can be broadly divided into two phases. The first phase continued from 1804 to 1836, and the second from 1836 till 1858.

FIRST PHASE : 1804-1836

By the rules passed on May 4, 1804, it was provided that only a single duty was to be imposed on the import of goods from any foreign country either by sea or land. After the payment of that duty, the merchant might carry his goods to whatever part of the province he felt most conducive to his own interest, without any molestation on part of Government officers.[3]

Goods of every description, except a few articles, on being imported by sea from Bengal or any other part of the British possessions in India, accompanied with a 'rowanah', were required to pay a duty of 2½% on the valuation specified there-

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[1] *Early European Travellers in the Nagpur Territories*, p. 52.

[2] G. Toynbee, *A Sketch of the History of Orissa* (1803-1828), p. 88.

[3] BJ(C)P, No. 26 of September 5, 1805, Governor-General in Council to Commissioners at Cuttack May 4, 1804.

in. Goods of every description, except a few articles, on being imported or exported by sea or by land and not accompanied with a 'rowanah', were required to pay the duty on every kind of goods as specified in the Book of Rates.

The following articles were exempted from duty on being imported or exported either by sea or land. But it was required that the quantity or number and value must be specified to the darogah of the 'chowkeys' through which the same might pass. The articles were :[1]

1. Wheat, rice and grain of every description.
2. Horses, bullocks and quadrupeds of every kind,
3. Gold and silver bullion either coined or uncoined
4. Timber or wood usually employed for ship or boat building, household or other purposes
5. Pearls, diamonds or other precious stones
6. Opium purchased at the Company's sales at Fort William.
7. Hackeries and carriages of every description
8. Images intended for religious purposes of every kind
9. Instruments of agriculture or manufacture, ploughs, tools and every article of that description.

Export of salt petre from the province by sea or land was strictly prohibited. So also export of salt by sea was strictly prohibited except on account of the Government or on the production of a 'rowanah' for small quantities for the use of the ships, or boats' crew. The import or export of canon, gun powder and war like instruments or stores into or from the province by land or sea was strictly prohibited.[2]

As a check against smuggling, it was provided that goods of every description attempted to be smuggled into or from the province by sea or land would be subject to confiscation. One-fourth of the value of the confiscated goods was to be paid to the informer and one-fourth to the darogah of the 'chowkey' by whose vigilance the seizure might have been made. Darogahs and all other officers employed in the department of customs were prohibited from taking or receiving any allowance either in money or in kind under any pretence

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[1] BJ(C)P, No. 26 of September 5, 1805, Governor-General in Council to Commissioners at Cuttack, May 4, 1804.

[2] *Ibid.*

whatever from any merchant. If any one of them disobeyed the rules, he was required to pay four times the amount so received besides being dismissed from his office.[1]

Thus the collection of customs began with elaborate arrangements made by the Government. The Judge-cum-Magistrate was entrusted with the charges of collection under the supervision of the Commissioners of Cuttack. In their report to the Government on September 2, 1805, they gave an account of the collection of customs in the province. The average amount of collection was Rs. 2,434 per month, and the expense for collection was only Rs. 49. The net revenue from customs thus came to Rs. 2,385 per month. The Commissioners pointed out : "In the present state of commerce in the Province of Cuttack no great increase can be expected in this Department."[2]

Towards the end of 1805 the Government ordered the Salt Agent of Cuttack to take charge of the collection of customs in the province.[3] But the Salt Agent was busy in arranging and conducting the business of the salt department in which he faced considerable difficulties. He, therefore, reported to the Board of Trade on September 22, 1806, that he had no leisure to form any arrangement for the department of customs. He hoped to look into the matter in a subsequent period.[4] In fact the department was properly organized only in 1810 when a new regulation was passed.

In the meantime all kinds of 'sayar' duties were abolished by the regulation 12 of 1805, and an inland transit duty was substituted for the abolished 'sayar'. The import and export duties were regulated from England on the principle, of course, of favouring British manufacturers as much as possible. The transit duties were levied on all goods, manufactured in the country or imported by land into the British possessions. The goods were made to pay a separate duty at each of the custom

[1] BJ(C)P, No. 26 of September 5, 1805, Governor-General in Council to Commissioner at Cuttack, May 4, 1804.

[2] *Ibid.*, No. 27 of September 5, 1805, Commissioners of Cuttack to Chief Secretary to Government of Bengal, September 2, 1105.

[3] Proceedings of Board of Trade (Customs), Government to Board of Trade, December 5, 1805, Vol. 20, pp. 684-85.

[4] *Ibid.*, Collector of Customs to Board of Trade, September 22, 1806. Vol. 23, p. 220.

houses they passed. So when they reached the consumer, they were taxed with single, double or treble duties according to the length of the journey. In 1810 this system was abolished by a new regulation.[1]

On April 10, 1810, the new regulation was passed for rescinding all regulations in force for collection of Government customs in the provinces of Bengal, Bihar and Orissa and for re-establishing those duties with amended rules for their collection.[2] The custom house for the collection of Government customs under this regulation was establishsd in the town of Balasore for Orissa. It remained in charge of a Collector of Government Customs, and he was subject to the authority of the Board of Revenue at the Presidency. The regulation also enumerated the rates of duty to be levied on different articles and enlisted the articles which were to be exempted from the payment of such duties. It declared that the goods which paid the duty once should not be liable to payment of any other duty. Of course, the 'rowanahs' were to remain in force for one year only.[3]

Besides the central custom house at Balasore, 8 custom 'chowkeys' were established at different places around it. They were :[4]

Name of chowkey	*Distance from Balasore*
Baliapal	12 Coss (24 miles)
Rajghat	12 ,, (24 ,,)
Remuna	3 ,, (6 ,,)
Balaramghari	3 ,, (6 ,,)
Bangreah	½ ,, (1 ,,)
Fulwar	½ ,, (1 ,,)
Chudamani	12 ,, (24 ,,)
Dhamrah	24 ,, (48 ,,)

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1 H. T. Prinsep, *History of the Political and Military Transactions in India*, Vol. II, p. 432.

2 BJ(C)P, No. 7 of April 13, 1810, Regulation 9 of 1810, April 10, 1810.

3 *Ibid.*,

4 BCHR (Acc. No. 586), Collector of Government Customs to Secretary to Board of Customs, Salt and Opium, August 13, 1829.

The above noted 'chowkeys' were all situated in the district of Balasore and stretched from river Dhamrah in south to river Subarnarekha in north. The custom house was established in the principal port of the province at Balasore. No doubt there were a number of smallar ports along the coastal line of Orissa from river Dhamrah in north to Chilka lake in south. But perhaps the maximum volume of trade paessed through the principal port at Balasore and other smaller ports of the district. So the Government established the custom house and the 'chowkeys' in that district only. No provinsions were made for the collection of customs in the district of Puri in the south.

Each 'chowkey' was managed by a darogah or a 'muharrir' with the assistance of a few peons. The salary of a darogah varied from from Rs. 12 to Rs. 20 per month. The salary of a 'muharrir' varied from Rs. 8 to Rs. 12 per month. The peons were paid at the rate of Rs. 4 per month. At the sadar office, there were a 'sherishtadar' and an English writer each with a salary of Rs. 40 per month besides a few 'muharrir' and peons. The total establishment of the Government custom house at Balasore and several 'chowkeys' stood at Rs. 366-3 annas per month on May 1, 1828.[1]

The Collector of Customs at Balasore kept proper vigilance on the proceedings of different 'chowkey' officers. In case of complaints against them for fraudulent practices and illegal impositions, prompt action was taken to enquire into the matter. In 1813 certain raiyats complained against the 'amla' and peons of Baliapal 'chowkey' for illegal extortions. The Collector of Government Customs at Balasore sent a 'muharrir' of the sadar office for enquiry. The report of his enquiry convinced him of their illegal practices. He thought it proper to suspend all of them and reported the matter to the Board of Revenue.[2] The Board confirmed the suspension order. Furthermore the Collector was directed to bring criminal charges against them in the 'Zillah Court' as prescribed by the regulation

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[1] BCHR (Acc. No. 586), Collector of Government Customs to Civil Auditor, May 21, 1828.

[2] PBR (Customs). No. 15 of November 16, 1813, Collector of Government Customs to Secretary to Board of Revenue, October 27, 1813.

9 of 1810.[1] Thus, the Government was vigilant on the activities of the subordinate officers and took strong action against them for their malpractices.

In 1820 certain rules were adopted by the Government to be observed by the Collectors of Customs in transit of public stores belonging to His Majesty's Government or to the Company. The Collector of Customs at Balasore was accordingly directed to give effect to the arrangements. It was provided that such goods when imported should be entered in a separate Import Duty or Free Sea Register which was to be kept at the custom house. As regards the export of goods by the Government, an application was to be made to the Collector of Customs in the same form used by the Indian merchants. The application was to specify the quantity and value of the goods, the number and description of the packages and the places from where they came. On receipt of such an application, the Collector of Customs was required to depute an officer to be present at the loading of the same for shipment. That officer was to see that no more goods were sent than the quantity specified in the application. An entry of every such export of goods was to be made afterwards at the custom house in a separate 'Free Export Register' to be maintained for such purposes.[2]

It specifically declared that military and medical stores and generally all articles belonging to the Government in its territorial capacity should be exempted from the payment of duty on import, export or transit. But in all instances applications, officially attested, should be sent to pass such stores by the public officers in the department from which they were to be issued. They must certify them to be the property of the Government and should give the identity of the person for whom they might be intended.[3]

In 1821 the Governor-General in Council passed a resolution in modification of the system under which goods not

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[1] PBR (Customs). No. 18 of November 16, 1813, Secretary to Board of Revenue to Collector of Government Customs, November 16, 1813.

[2] BRR (Customs Department, Vol. No. 25A), Secretary to Government of Bengal to Commissioner at Cuttack, July 7, 1820, No. 541.

[3] BRR (Customs Department, Vol. No. 25A), Secretary to Government of Bengal to Commissioner at Cuttack, July 7, 1820, No. 541.

exceeding 10 rupees in value were permitted to pass. The Collector of Customs at Balasore was directed to give effect to the modified rules.[1] It was resolved that persons, passing through the outer range of 'chowkeys' attached to any custom house, and not entering the city or town at which the Collector of Customs was stationed, should be allowed to carry with them any goods belonging to them, without being subject to the payment of any transit duty. But the value of such goods should be less than 10 rupees and the weight of which might not exceed one maund of the local standard. The resolution was a laudable measure to help the common people who were subjected to the payment of transit duty in carrying small things within the jurisdiction of custom 'chowkeys'. Besides the provisions made by the above-noted resolution, only a few articles produced in the country were allowed to pass free of duty such as, grain, fire wood, ghee and a few petty goods.[2]

When the office of the Commissioner of Revenue and Circuit was created in 1829, it was provided that those officers throughout all divisions of the Presidency should supervise and control several collectorships of customs within their respective jurisdictions. It was directed that in future the Collectors of Customs would correspond directly with the Commissioners of Revenue and Circuit, and the orders of the Commissioners should be final in respect to all detentions, seizures, confiscations, remissions of fines or other penalties and in the appointment or dismissal of uncovenanted officers. They were to be guided in their decisions by such regulations and orders of the Government which were in force or might be enacted thereafter. The Board of Customs, Salt and Opium was required to exercise a general power of control and supervision over the Commissioners in such matters.[3]

The net collections from the customs duties in Orissa were as follows :—

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[1] *Ibid.*, August 21, 1821.

[2] BCHR, (Vol. No. 22), Collector of Government Customs to Commissioner at Cuttack, July 20, 1824.

[3] PBCSO, No. 28 of April 3, 1829, Order of the Vice-President in Council, February 26, 1829.

1816-17		Rs. 18,852— 9 annas
1817-18		Rs. 23,294— 7 annas[1]
1818-19		Rs. 15,361— 6 annas[2]
1819-20		Rs. 20,611—13 annas[3]
1820-21		Rs. 15,758— 4 annas[4]
1821-22		Rs. 14,486—14 annas[5]
1822-23	... ...	Rs. 16,425— 0 annas[6]

In subsequent years, the net collections rapidly declined. From the statement of the collections for four years from 1825-26 to 1828-29, it was found that the total amount collected during the period were Rs. 60,670-5 annas and the total expenses incurred, Rs. 25,301-3 annas. Thus the net proceeds during those years amounted to Rs. 35,369-2 annas, making an average of Rs. 8,842-4 annas only per year.[7]

The main cause of decrease in the collection of duties was the gradual decline of the volume of trade that passed through the Balasore custom-house. In 1825 the Collector of Customs reported to the Board that the decline was mainly perceptible in the trade of cotton goods. He pointed out that large quantities of cotton goods were manufactured in Cuttack and generally passed through Balasore custom-house towards Calcutta for sale. The quantity manufactured in 1825 had been less in consequence of disputes between the principal cloth merchants of the province and their agents at Calcutta. Also a portion of the actual quantity produced found its way to Tributary Mahals without coming within the limits of the Government 'chowkeys'. The merchants further noticed that large quantities of cloth were being imported from Europe and sold at cheap rates in the market. The people generally preferred cheap foreign goods to costly indigenous products.[8]

[1] BRR (Customs Department, Vol. No. 25A), Accountant to Commissioner of Cuttack, October 23, 1818.

[2] *Ibid.*, November 23, 1819.

[3] *Ibid.*, January 27, 1821.

[4] *Ibid.*, November 22, 1821.

[5] *Ibid.*, Vol. No. 29A, Accountant to Commissioner of Cuttack, November 29, 1822.

[6] *Ibid.*, September 15, 1823.

[7] BCHR, Acc. No. 586, Collector of Government Customs to Secretary to Board of Customs, Salt and Opium, August 13, 1829.

[8] *Ibid.*, Acc. No. 574, Collector of Government Customs to Secretary to Board of Customs, Salt and Opium, May 17, 1825.

In this connection Andrew Stirling, a British officer who had served in Orissa, wrote in 1825 : "The manufactures and trade of Orissa Proper are very inconsiderable and unimportant. A sufficiency of the coarser cloths is made for the use of the inhabitants in all parts of the district. The calicoes of Balasore, Soro, Badrak, Janjipur, and Hariharpur, were once much prized and sought after under the name of Sannahs, but the demand for the finer fabrics of that description having long since greatly declined, the quantity now manufactured is very trifling."[1] In November 1827 the Collector of Government Customs at Balasore also observed that "the trade here is so trifling and the merchants and people in general so poor that few if any articles of the first quality are ever brought here for sale."[2]

Although the number of small trading vessels which belonged to the port of Balasore, Chudamani and Dhamrah was considerable yet the export was almost entirely confined to grain on which no duty was levied. Naturally the collection of duties in the sea ports was small. Henry Ricketts, the Collector of Government Customs at Balasore, reported to the Board in August 1829 that the collections on account of exports and imports for four years from May 1825 to April 1829 at Balasore averaged only Rs. 376-2 annas per annum, at Dhamrah Rs. 431-7 annas per annum, at Chudamani Rs. 105-3 annas per annum and at Baliapal on river Subarnarekha Rs. 322-8 annas per annum. He pointed out that the revenue was so small as to claim little attention except as to how it could be realized at the least practicable expense. In this connection the propriety of introducing the system of farming the collection of customs was raised. Ricketts was of opinion that the farming system would avoid unnecessary delay in removing goods in the small ports away from Balasore.[3]

The greater portion of the duties was collected in transit of goods at the inland 'chowkeys'. It was evident from the fact that out of the total collections of Rs. 60,670-5 annas from 1825 to 1829, only Rs. 4,937-8 annas were collected at the sea

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[1] A. Stirling, *An Account of Orissa Proper or Cuttack*, p. 21.

[2] BCHR, Acc. No. 574, Collector of Government Customs to Secretary to Board of Customs, Salt and Opium, November 9, 1827.

[3] *Ibid.*, Acc. No. 586, Collector of Government Customs to Commissioner of Cuttack, August 13, 1829.

ports and the rest of thea mount was collected at the inland 'chowkeys'. It was on an average of Rs. 13,933-3 annas per annum. The inland trade was carried out by persons who resided at Cuttack and Midnapore and by travelling pedlars. Ricketts could not fully ascertain as to how they would react to the introduction of the farming system in collection of duties. The Balasore merchants were apprehensive that the farmers of such duties would exact more than the legal dues. In order to check such exactions, Ricketts wanted to provide heavy penalties and hoped that the farmers would not take the risk of incurring the penalty and loss of lease for the sake of small gains. He also argued that even the Government officers exacted illegal fees, and there was no reason to apprehend that under the farming system illegal exactions would be more frequent than what it was under the existing system. There was another reason for which he advocated the introduction of the farming system. The expenses for collection including salaries, commissions, construction of 'chowkey' houses etc. during four years from 1825 to 1829 were on average Rs. 6,325-4 annas per year or something more than one-third of the average collections during the same period. He believed that the farming system would put an end to the most disproportionate expense and the revenue would certainly increase by the measure.[1] But the Government took no prompt decision on the matter. Perhaps they were not prepared to adopt a new system only for Orissa. Eventually the question of introducing the farming system was dropped.

However, the small income of the custom house prompted other officers in its charge to make fresh suggestions. In November 1833 Robert Hunter, the Commissioner of Cuttack, recommended to the Government to abolish the Balasore custom-house altogether. He pointed out that the trade was very small and much of the duties collected at Balasore would doubtless be collected at the Calcutta customs-house if the former was abolished. The pecuniary loss to the Government would be insignificant but the constant irritation of merchants for unavoidable delay in examining the goods and granting

[1] BCHR, Acc. No. 586, Collector of Government Customs to Commissioner of Cuttack, August 13, 1829.

'rowanahs' would be got rid of.[1] On February 1, 1836, the Collector of Customs at Balasore also raised the question of abolishing the custom house and requested the Commissioner to take up the question seriously. He declared that the profit to the Government from the custom house was from 5 to 6 thousand rupees but "I think the annoyance caused by the Custom House to the inhabitants may be reckoned at about 50,000".[2] Henry Ricketts, the then Commissioner of Cuttack, reported to the Board in February 1836 that the custom-house which yielded only a profit of Rs. 8,000 per annum, the propriety of its being abolished could hardly be questioned.[3] But the Government was not prepared to take such a drastic step in abolishing the custom-house altogether.

When it was decided to stop the collection of transit duties throughout the Presidency during that year, Ricketts raised the question of Balasore Custom House in view of the changed circumstances. He pointed out that transit duties were levied on articles which were brought into the town or within the line of 'chowkeys' around it. Except a few articles such as, grain, ghee and fire wood etc., all articles of internal trade were required to pay the transit duties. The collection of such duties consisted of, as it had been shown before, main bulk of customs duties realized in the province. He further stated that the trade by sea was very small. The exports were mainly confined to rice and salt, and all imports were covered by a 'rowanah' from Calcutta. Thus, drastic reduction of the establishments of the custom house was necessary. How meagre was the collection from export and import duties in the Balasore custom-house is shown in the following statements.[4]

Year	*Export*	*Import*	*Total*
	Rs. As.	Rs. As.	Rs. As.
1832-33	5-0	249-2	254-2
1833-34	—	157-8	157-8
1834-35	—	69-6	69-6
	5-0	476-0	481-0

[1] PBCSO, No. 79 of March 4, 1836, Hunter to Government, November 20, 1833.

[2] *Ibid.*, Collector of Customs to Commissioner, February 1, 1836.

[3] *Ibid.*, Henry Ricketts to Secretary to Board of Customs, Salt and Opium, February 18, 1836.

[4] *Ibid.*, No. 91 of March 31, 1836, Statement of the Collector of Government Customs at Balasore, March 12, 1836.

Ricketts, of course, did not suggest to make the port duty free because of his apprehension that such a measure might be injurious to the revenue derived from the custom house at Calcutta. At Dhamrah, Chudamani and Baliapal actually no trade was carried on but on the same principle that a check was to be maintained at Balasore, it might be also necessary to keep officers at those stations.[1]

The Board agreed with the views of the Commissioner. They also apprehended that if the ports under the Balasore custom-house were to be declared free, merchants from other parts of the Presidency would take advantage of the situation and utilize the free ports for export and import of their goods to avoid the payment of customs duties. To obviate abuses, the Board decided that the custom house at Balasore should be maintained but with much reduced establishment. Thus, a revised system came to be enforced from April 1836.[2]

THE SECOND PHASE : 1836-58

By the introduction of the revised system, the establishment of the Balasore custom-house was reduced to Rs. 182 only. At the sadar office, there were one English writer, one 'muharrir and two peons at the monthly salary of Rs. 30, Rs. 10 and Rs. 8 respectively. Besides the sadar office, there were three 'chowkeys' at Baliapal, Chudamani and Dhamrah. In each of them, there were one 'muharrir' at the monthly salary of Rs. 10 and two peons at the monthly rate of Rs. 4 each. Besides these establishments at the sadar office and 'chowkeys', there was an Assistant to the Collector of Customs who got an allowance of Rs. 80 per month.[3] But his office was abolished by the direction of the Board from May 1848.[4] Further reductions were made in the establishments of the sadar office and the 'chowkeys', and by May 1, 1856, the establish-

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[1] PBCSO, No. 90 of March 31, 1836, Henry Ricketts to Secretary to Board of Customs, Salt and Opium, March 12, 1836.

[2] *Ibid.*, No. 92 of March 31, 1836, Board of Customs, Salt and Opium to Government of Bengal, March 31, 1836.

[3] BCHR, Acc. No. 648, Collector of Government Customs to Commissioner at Cuttack, September 4, 1837.

[4] *Ibid.*, Acc. No. 715, Secretary to Board of Customs, Salt and Opium, to Collector of Government Customs at Balasore, May 11, 1848.

ments of the customs office stood at Rs. 93 per month only.[1]

Such a small establishment* was maintained because no profit accrued to the Government from collection of customs duties. Rather the Government was making excess disbursements to the staff. The following particulars of the receipts and disbursement from May 1836 to April 1838 show the real condition of the customs department at Balasore.

Particulars	*1836-37* *Rs. As. Ps.*	*1837-38* *Rs. As. Ps.*
Receipts :—		
Duty realized on Imports	762-13-11	1,184-13- 4
Duty realized on Exports	71-15- 5	213-11-10
Sale of confiscated goods	—	—
Fines	—	122-13- 5
Miscellaneous	605- 6- 8½	363-15- 5
Total ...	1,440- 4- ½	1,885- 5- 0
Disbursements and charges :—		
Fixed establishments	2,036-15- 5½	2.184- 0- 0
Contingent charges	48-15-10½	68-14- 9
Total ...	2,085-15- 4	2,252-14- 9
Excess disbursement	645-11- 3½	367- 9- 9[2]

Thus, with the abolition of transit duties from 1836, the Balasore custom-house ceased to be a source of profit to the Government. However, it was maintained according to the settled policy even at an excess disbursement.

During this period, the main articles of export were, as

[1] BCHR Acc. No. 720, Detailed statement of the Collector of Government Customs, at Balasore, May 1, 1856.

* Sadar Office——	——	Rs. 53/-
Dhamrah ——	——	Rs. 18/-
Chudamani——	——	Rs. 18/-
Baliapal ——	——	Rs. 4/-
Total	——	Rs. 93/-

[2] PBCSO, No. 36 of January 17, 1839, Collector of Government Customs to Secretary to Board of Customs, Salt and Opium, December 10, 1838.

before, rice and paddy. The quantity exported varied considerably and as was regulated by several factors. It mainly depended on the state of crops in the province and the demand for it in the neighbouring provinces. It also varied according to the number of ships employed in salt trade and the period of the year at which the salt export was completed. Because at that time only that the vessels employed in salt trade were available for export of other articles. It is certain that the whole export trade derived its impetus from Government monopoly of salt and its export in large quantities from Orissa. It ensured fair profit to all ship-owners and led to a great increase in the number of vessels. Those vessels after the completion of salt export, were employed in conveying a portion of the excess agricultural products of the province to outside markets.[1]

As the Collector of Customs reported to Henry Ricketts, then member of the Board of Revenue, the number of vessels in the port of Balasore had increased from 56 in 1831 to 167 in 1853. There were 185 vessels engaged in trade in the port during 1851 but 44 vessels were lost in the cyclone of that year, the greater number of which were soon replaced by new and better vessels.[2] The trade of the port was mainly carried with Calcutta but a few vessels also went to other Indian ports like Madras, Masulipatam and Calicut. The account of vessels which cleared out from the custom-house during 1849 and 1850 was as follows :—[3]

Year	*To what port bound*	*No. of vessels cleared out*	*No. of arrivals reported*	*No. of whose arrivals not reported*
1849	Calcutta	282	167	115
	Madras	8	6	2
	Masulipatam	2	—	2
1850	Calcutta	357	204	153
	Madras	23	12	11
	Calicut	1	—	1
		673	389	284

[1] BCHR, Acc. No. 720, Collector of Government Customs to Henry Ricketts, November 25, 1853, No. 14.

[2] *Ibid.*

[3] PBR (Customs), No. 45 of March 27, 1851, Collector of Government Customs to Secretary to Board of Revenue, March 8, 1851.

The number of vessels whose arrivals in the ports of their destination were not reported, as shown above, was considerable, and it was a matter of surprise to the Board. However, the Collector of Customs could not believe that there had been any evasion of duties and that those unreported vessels had at all been to foreign ports. He was informed that many of the small crafts that cleared out for Calcutta frequently disposed of their cargoes at Hijri and other such intermediate places between Balasore and Calcutta. Many of them remained in the neighbourhood of Calcutta and did not report themselves to the custom house.[1]

Another discrepancy to which the Commissioner of Cuttack drew the attention of the Collector of Customs at Balasore was about the quantity of goods entered on the clearances granted to some vessels at Balasore and the quantity of goods found at their destination. The Collector of Customs explained that when the vessels were bound to Indian ports, it had been customary to grant port clearances to them without verifying the correctness of their statements about the cargoes. The vessels were generally loaded all along the coast. Therefore, great delay and much inconvenience were to ensue if the cargo of every vessel bound to an Indian port was tested by the custom house officers before port clearance was granted.[2] It may be mentioned here that no charge was made for a port clearance. The duties were levied "on imports or exports from foreign ports and on all imports in excess of the articles specified in the Port Clearance."[3] The shipowners in order to save time occasionally sent their application for port clearances before their vessels were fully loaded. It sometimes so happened that when they could not get the cargo they expected and which they had entered in the application for port clearance, they took a cargo of different description. This was the reason for the variation between the port clearances granted to them and the cargoes noticed at the ports of their destination. So the

[1] PBR (Customs), No. 44 of March 27, 1851, Collector of Government Customs to Secretary to Board of Revenue, March 8, 1851.

[2] BCHR, Acc. No. 720, Collector of Customs to Commissioner at Cuttack, August 8, 1851, No. 17.

[3] *Ibid.*, Collector of Customs to Henry Ricketts, November 25, 1853, No. 14.

Collector of Customs at Balasore concluded that the merchants were responsible for discrepancy and should be penalized.[1]

Besides the custom duties, another kind of duty was also levied in the sea ports of the Balasore district from 1846 on all vessels laden with any other cargo than salt. It was known as 'buoyage' duty for 'buoys' were placed on the mouth of the river to show navigable course or reefs etc. The rates of buoyage duties were as follows :

Vessels below 2000 maunds	... ...	Rs. 8 each
,, from 2000 maunds to 5000 maunds		Rs. 10 each
,, above 5000 maunds	... ...	Rs. 15 each[2]

It had already been noticed that the Balasore custom-house gave no profit to the Government from 1836 when the transit duties were abolished. Perhaps after the introduction of buoyage duties, it produced a small annual income. Henry Ricketts, then member of the Board of Revenue, who visited the province in 1853 recorded such an account in his report of the district of Balasore. He found that the aggregate duties realized for 5 years from 1848-49 to 1852-53 amounted to Rs. 12,287-11-5 pies. The expenses were Rs. 6,183-15-0. So it was maintained not at any cost to the Government, but on the contrary, it produced a small annual income. However, he noted : "The Balasore Custom House is established merely as a check to prevent goods being imported at that place in order to evade the payment of duty in Calcutta."[3]

Ricketts also noticed that there was a small marine establishment at Balasore. It consisted of the Master Attendant and the Company's schooner "Orissa". The duties of the Master Attendant were to regulate the vessels trading in the port, to look after the 'buoys' in the Balasore and Dhamrah rivers*, to collect buoyage duties, to assist distressed vessels, to take charge of wrecked property, to ship treasure, and to

[1] BCHR, Collector of Sea Customs to Commissioner of Cuttack, August 8, 1851, No. 17.

[2] *Ibid.*, Acc. No. 720, Collector of Sea Customs to Henry Ricketts. Member of Board of Revenue, November 25, 1853, No. 14.

[3] SRG, Bengal, 1853, No. XXX, Report on the district of Balasore, Henry Ricketts, 1853.

* It was river Burabalang which flowed near Balasore but the English officers referred it as Balasore river.

convey the annual supplies of opium, stationery etc. to Puri, Cuttack and Balasore.[1]

Though 'buoys' were provided only on the mouths of 'the Balasore and Dhamrâh rivers', the buoyage duties were charged at other smaller ports of the district such as, Chudamani, Lochanpur, Channoah, Sartha and Subarnarekha. However when an Act was passed in 1855 (Act 22 of 1855) for the regulation of ports and port dues by the Government of India, the Commissioner of Cuttack objected to the extension of the Act to those small ports including Dhamrah.[2] The main objection was based on the insignificance of trade in those small ports. Balasore was the only port of some importance in the province. On enquiry, W. White, the Officiating Master Attendant of Balasore, supplied the statements of the number of vessels which paid buoyage duties and the amount of such duties realized for 5 years from 1852 to 1856.[3] The statements were as follows :

Export and Import vessels levied buoyage duties from the several rivers of the district

Year	*Subarnarekha*	*Sartha*	*Balasore*	*Lochanpur*	*Chudamani*	*Dhamrah*	*Total vessels*
1852	2	22	64	20	14	38	160
1853	14	42	73	24	4	34	191
1854	10	46	72	12	6	56	202
1855	14	35	69	16	19	31	184
1856	15	37	107	21	39	8	227

Port dues realised

Year	*Total no. of vessels*	*Port dues or buoyage duties in Rs.*
1852	160	1,436/-
1853	191	1,667/-
1854	202	1,850/-
1855	184	1,701/-
1856	227	2,071/-

[1] SRG, Bengal, 1853, No. XXX, Report on the district of Balasore, Henry Ricketts, 1853.

[2] BCHR, Acc. No. 780, Junior Secretary to Government of Bengal to Commissioner of Cuttack, May 8, 1857, No. 21117.

[3] *Ibid.*, White to Collector of Balasore, June 1, 1857, No. 95.

W. White, the Master Attendant, further stated that the services rendered to the several small ports of the district were insignificant. It only consisted in keeping of 2 peons in constant attendance to look after wrecked property and report the arrivals and departures of vessels. There were neither 'buoys nor beacons' to point out the places, and so, the duties at those small ports were levied without any benefit to the native crafts. It was rather a tax for loading within the limits of the district. He, therefore, suggested that all dues ought to be remitted at those ports.[1]

But the Government of India decided otherwise. In 1858 a new Act was passed (Act II of 1858) "for the levy of port-dues in certain ports in the Province of Cuttack".[2] Such ports were Balasore, Chudamani, Lochanpur, Channoa, Sartha, Subarnarekha and Dhamrah. In accordance with the new Act, the port dues were to be realized from May 1, 1858, "at the rate of 6 annas for every one hundred maunds of burden in respect of every sea-going vessel of the burden of 300 maunds and upwards which shall enter any of the said ports." The Act further provided that "the said several ports shall be regarded as constituting a single port. All sums received on account of port dues at any of the said ports shall form a common fund which shall be called the Balasore Port Fund, and shall be available for the payment of all charges incurred on account of any of the said ports."

Thus, by the end of the East India Company's rule, Balasore and other small ports in the district stretching from river Subarnarekha in the north and river Dhamrah in south were brought under the regulations of the Government. Though trade and commerce of the province had already dwindled and the fame of Balasore as a great sea port had faded away, yet the halo was somewhat maintained by the British Government. The custom-house for the province was located at Balasore, and it was still the principal port of the province. The other small ports of the district also attracted the attention of the Government, and they were brought under the

[1] BCHR, Acc. No. 780, White to Collector of Balasore, July 29, 1857, No. 109.

[2] G.S. Fagan, *Acts of the Legislative Council of India*, Vol. III, pp. 547-48.

jurisdiction of the Port Act. It is rather strange that the Government had no provision for the collection of customs in other parts of the province, and no other small ports in the districts of Cuttack and Puri were brought under the said Act. Obviously, the largest volume of trade passed through the ports and custom house of Balasore. It was the salt trade and the export of excess agricultural products like paddy and rice which still maintained the maritime activities of the people. The abolition of salt monopoly gave a death blow to the trade and commerce of the province. The sea shores of Balasore, the principal port of Orissa became desolate and deserted.

7 Administration of the Temple of Jagannath

Jagannath or the 'Lord of the Universe' is one of the most famous deities of the Hindus. Pilgrims in large numbers from all parts of India visit his famous Temple at Puri in all seasons. The fame of the Lord and of His Temple were well known to the British long before their conquest of Orissa. Therefore, the Marquis of Wellesley issued a specific direction to Lt. Col. Campbell about the Temple on August 3, 1803 when he ordered for the occupation of Orissa.[1]

WELLESLEY'S POLICY, 1803

He wrote to Campbell ; "On your arrival at Jaggarnaut, you will employ every possible precaution to preserve the respect due to the Pagoda, and to the religious prejudices of the Bramins and pilgrims. You will furnish the Bramins with such guards as shall afford perfect security to their persons, rites and ceremonials, and to the sanctity of the religious edifices, and you will strictly enjoin those under your command to observe your orders on this important subject, with the utmost degree of accuracy and vigilance".[2] He also directed Campbell that in order to conciliate the Brahmins they must be informed that "it is not your intention to disturb the actual system of collections at the Pagoda....,.that they will not be required to pay any other revenue or tribute to the British Government than that which they may have been in the habit of paying to the Mahratta Government, and that they will be protected in

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[1] M. Martins (edited), Despatches etc. of the Marquis of Wellesley during his administration in India, Vol. III, pp. 269-70.

[2] *Ibid.*, p. 269.

the exercise of their religious duties". But he added a word of caution that "at the same time, you will be careful not to contract with the Bramins any engagements which may limit the power of the British Government to make such arrangements with respect to that Pagoda, or to introduce such a reform of existing abuses and vexations as may hereafter be deemed advisable."[1] While giving such directions, Wellesley did not forget to warn, "you will understand that no part of the property, treasure, or valuable articles of any kind, contained in the Pagoda of Jaggernaut, or in any religious edifice, or possessed by any of the Priests and Bramins, or persons of any description attached to the temples or religious institutions is to be considered as prize to the army. All such property must be respected as being consecrated to religious use by the customs or prejudices of the Hindoos. No account is to be taken of any such property, nor is any person to be allowed to enter the Pagodas or sacred buildings without the express desire of the Bramins."[2] Wellesley dictated such a policy of religious toleration in order to conciliate the Hindus, who constituted almost the entire population of Orissa, and thus paved the way for a smooth conquest of the Province. This liberal policy remained the keystone of the British administration of the Temple of Jagannath.

The administration of the temple can be divided into three distinct phases. In the first phase, from 1803 to 1810, considerable thought was paid to prepare a general policy for the management of the Temple. During the second phase, from 1810 to 1840, that policy was put into practice. In the last decade of that period, the Government seriously discussed and finally decided to bring about a decisive change, which was effected in 1840. In the last phase, from 1840 to 1858, the East India Company while still maintaining its direct connection with the management of the Temple, proceeded slowly to bring an end to it.

THE FIRST PHASE, 1803-1810

George Harcourt and John Melville, the British 'Commissio-

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[1] M. Martins (edited), Despatches etc. of the Marquis of Wellesley during his administration in India, Vol. III, pp. 269-70.

[2] *Ibid.*, p. 270.

ners for the affairs of Cuttack', faithfully followed Wellesley's instructions at the time of the conquest and subsequently thereafter.[1] They understood the socio-religious significance of the Temple and the sentiments associated with it. Their immediate responsibility was to conciliate the religious feelings of the Brahmins attached to the Temple. In consultation with the latter, they allowed the Maratha officer Shewaji Pandit to continue as before in the office of 'Dewal Purcha' who controlled the receipts and disbursements of the Temple. Side by side, the Collector of the southern division, who had his headquarters at Puri, was directed to intervene in the management, if necessary, for the good of the institution. They also appointed "an important disinterested person Govinda Rai Mahasai to assist him in managing the affairs of the Temple". The Collector was instructed to follow implicitly the established and approved usages and to confine his interference and authority to the limits of that which might appear to have been the practice of the former Government.[2]

However, in one respect the immediate policy of the British Government deviated from that of the Maratha Government. The British abolished the pilgrim tax soon after their occupation on assumption that the said tax was oppressive and unpopular. It was also considered expedient to postpone the collections of the tax until a new system, void of oppression and inconvenience, could be arranged. At the same time the Government was prepared to incur expenses necessary for the support of the Temple in the same manner as it was maintained during the Maratha Government.[3]

Before long it was realized that some permanent regulation was necessary to administer the affairs of the Temple. On March 11, 1805, Charles Groeme, the Collector of southern division at Puri, was directed to give a report on the establishments and customs of Jagannath Temple. The Government also contemplated to levy a moderate rate of duties on pilgrims

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[1] Notes relative to the Late Transactions in the Marhatta Empire, p. 127.

[2] BRP, No. 9 of March 11, 1844, Commissioner of Cuttack to the Sadar Board of Revenue, August 26, 1843.

[3] BRP, No. 9 of March 11, 1844, Commissioner of Cuttack to the Sadar Board of Revenue, August 26, 1843.

for two reasons. First, the Brahmins and the pilgrims would feel confident that the expenses of the Temple would be regularly and permanently defrayed by the British Government. Secondly, the attention of the Government would always be directed to the protection of large number of pilgrims who frequented the Temple. Therefore, the Government wanted to ascertain the Maratha practice of levying duties on pilgrims. At the same time, they wanted to assess income of the Temple from other resources, such as, lands.[1]

CHARLES GROEME'S REPORT, 1805

Charles Groeme, the Collector, gave his report on June 10, 1805, which contained required information regarding the Temple and the pilgrims.[2] Formerly, the Raja of Khurda supervised the internal administration of the Temple. But the Marathas brought it under their direct control and appointed four 'Dewal Purchas' to supervise the administration. Those 'Purchas' controlled the priests, collected pilgrim tax, kept accounts of collections and disbursements of Temple funds, and managed different festivals of Jagannath properly. One of those 'Purchas' was usually the 'amil' of Puri, and he controlled the affairs of the Temple on behalf of the Maratha Government. He had always at his command about 400 'burkandazes' at the Temple gates and could check any disturbance in the area effectively.[3]

The Collector found that there were no fixed principles for collecting tax from the pilgrims. Certain rates were prescribed but they were never adhered to by the Maratha officers. The collections from pilgrims who came from north began at a place called Khunta on the borders of Mayurbhanj and continued upto the place of entrance to Puri. They were granted passes, specifying their number, the date and the amount paid by each of them. Then they were handed over to the 'pandas'*

[1] CRR, Acc. No. 435 Secretary to Commissioner of Cuttack to Collector of Cuttack, March 11, 1805.

[2] CRR, Acc. No. 3, Collector of Cuttack to Commissioners of Cuttack. June 10, 1805.

[3] *Ibid.*

* There are two categories of 'pandas', 'tirtha panda' and 'puja panda'. The 'tirtha pandas' travel throughout India in search of pilgrims to the Lord and bring them to His Temple. The 'puja pandas' or priests of Jagannath help the pilgrims in performance of their religious ceremonies.

or their agents to whom the lists were entrusted and on their arrival at Puri, they were again counted and then permitted to visit the Temple. There were two reasons for entrusting pilgrims to the charge of the 'pandas', first to prevent unnecessary delay at the place of entrance to Puri and next to prevent people of low castes entering into the Temple.[1] Usually pilgrims from the northern sides of India, who were wealthier than people of other parts, paid ten rupees each, and pilgrims from the Deccan, six rupees each.[2]

Besides this tax, there was another fee of four 'panas' and twelve and a half 'gandas' (Kauris) for every pilgrim of superior rank and of three 'panas' and seven and a half 'gandas' (Kauris) for a pilgrim of lower rank, collected for the specific purpose of taking them round the 'singhasan' or the throne of Jagannath. The religious mendicants, monks, merchants with articles of trade and the inhabitants of the 'holy land'* were exempted from payment of the pilgrim tax. The poorest people or 'kangals' were also allowed to visit the Temple without payment of any duty.[3]

As regards the resources of the Temple, the Collector found out that certain lands were directly under the 'Dewal Purcha', Shewaji Pandit, and the revenues derived from those lands were appropriated for expenses of the temple. The rich pilgrims donated lands for 'Bhog' or sacred food of Jagannath and the donors generally entrusted the management of those lands to 'mathdharis' or heads of the monasteries around the Temple. To prevent embezzlement of such resources, the Raja of Khurda used to examine the accounts but during the last two decades of the Maratha rule there was no check and and consequently, as Groeme believed, there was enormous embezzlements by 'mathdharis'.[4]

Besides land resources of the Temple, the Collector was

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[1] CRR, Acc. No. 3, Collector of Cuttack to Commissioners of Cuttack, June 10, 1805.

[2] *Early European Travellers in the Nagpur Territories*, p. 56.

* Holy Land denoted the area within two rivers of Orissa, river Baitarini in north and river Rishikulya in South.

[3] CRR, Acc. No. 3, Collector of Cuttack to Secretary to Commissioners of Cuttack, June 10, 1805.

[4] *Ibid.*

furnished by Shewaji Pandit with the account specifying 1,48,373 'kahans' 9 'panas' and 8 'gandas' (of Kauris), being the annual assessment of certain villages, granted by Raghuji Bhonsle and his family and the Raja of Khurda and his family as 'Khairat' for supplying 'Bhog' or sacred food to Jagannath independent of the grant made by their Government. The whole of the 'Bhog' was divided amongst the servants of the Temple, the Raja of Khurda, 'Mathdharis' and Brahmins, and some unappropriated quantity was sold and the amount was brought to the account of the Temple management.[1]

Groeme also gathered that during the period when the affairs of the Temple were under the immediate control and management of the Raja of Khurda, the priests were punished either by fine or corporal punishment for slightest deviation from their prescribed duties. But the discipline of the Temple gradually waned from the period when its superintendence was brought directly under the former Government. By the time of his enquiry, all sacred regulations and discipline were in a mess. Every servant of the Temple worked as he pleased and most of them amassed wealth by plundering pilgrims.[2] Groeme wanted that the British Government should take strong steps to set things in order and to restore proper discipline in all affairs.

He further reported that formerly it was customary for all 'Dewal Purchas' jointly to look into receipts and disbursement of the Temple, but for the last three or four years Shewaji Pandit, the third Purcha, had taken the whole work upon himself. He suggested that authority for disbursements should be made a joint concern of all 'Dewal Purchas' under their signatures and the seal of Jagannath. The receipts and disbursements of every description should be brought to account and the whole accounts of the Temple should be sent to the Collector once in a year or often should the Government so desire. The 'Purchas' should be answerable jointly for all deficiencies. The lands of Jagannath, which were settled according to the will and pleasure of Shewaji Pandit, were to be brought back to general settlement of the Government

[1] *Ibid.*
[2] CRR, Acc. No. 3, Collector of Cuttack to Secretary to Commissioners of Cuttack, June 10, 1805.

or assessed at a fixed 'jama'. Groeme also suggested for the imposition of pilgrim tax.[1]

The report of Groeme was duly considered by the authorities at Fort William and steps were taken to restore proper discipline in the affairs of the Temple. It was decided to manage the Temple in the same way as in the best days of the former Government. The regulation 12 of 1805 declared that rents of the lands assigned as endowments of the Temple of Jagannath or of 'maths' in the vicinity of the Temple should not be resumed. A new office was also instituted under the name of 'Office of Collector of the Tax on Pilgrims at Jagannath'. James Hunter was appointed to officiate as the Collector.[2] He was given the draft of a regulation, prepared for the collection of tax on pilgrims and for maintenance of good order, regularity and tranquillity in the interior of the Temple and in the town of Puri.[3]

THE REGULATION 4 OF 1806

The above-noted regulation was passed by the Governor-General in Council on April 3, 1806, and was known as the regulation 4 of 1806. It declared that a tax be levied on pilgrims to the Temple of Jagannath. The collection was entrusted to 'the Collector of the tax on pilgrims at Jagannath' while the general superintendence of collections, as well as the control of the officers employed on duty, was vested in the Board of Revenue at Fort William.

The avenues for the admission of pilgrims to the Temple were confined to two ghats, ghat Atharanala in north and ghat Lokanath in south. The tax was fixed at ten rupees at Atharanala and six rupees at Lokanath on each pilgrim commonly known as 'Laljatris'.* The tax on all other pilgrims was fixed indiscriminately at two rupees per individual. The division of pilgrims into two such classes was made according to customs prevalent in Maratha days.

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[1] *Ibid.*

[2] BRP, No. 20 of November 21, 1805, Secretary to Government to James Hunter, November 21, 1805.

[3] *Ibid.*

* The wealthier pilgrims who paid the highest amount of tax were known as 'Laljatris'.

According to the Regulation, the 'pandas' and 'pariharis' of the Temple were entitled to receive, in conformity with established usage, a fee from the pilgrims, according to a table of rates which was to be kept fixed at the Temple and adjacent places for information of the pilgrims. The servants and the priests attached to the Temple were accordingly strictly prohibited from making any demand for money, exclusive of the tax and fees specified in the regulation. They were to be punished by dismissal from their service for any deviation from those rules. However, they were allowed to receive presents or gifts which were made voluntarily by the pilgrims.[1]

In accordance with the long and established usage, this regulation exempted some pilgrims from payment of the tax. They were religious mendicants, water carriers from the Ganges to Jagannath or any other Hindu temple, and persons who resided in the 'holy land'. Pilgrims, who were in actual state of poverty or 'Kangals', were also exempted from the payment of the established tax. Persons, who came to the town of Puri for trade or for purposes other than pilgrimage, were also exempted from the tax.[2]

The superintendence of the Temple, its internal economy, the conduct and management of its affairs, and control over the priests and servants of Jagannath were vested in 'an assembly of Pundits or learned Brahmins' who were to be guided by the recorded rules of the Temple or by long and established usage. The 'assembly of pundits' should consist of three members whose names were to be recommended by the 'Collector of tax on pilgrims' to the Governor-General in Council through the Board of Revenue. In all cases of difference in opinion amongst its members, the majority opinion should prevail. The regulation clearly stated that the pandits should hold their positions so long as they conducted themselves with integrity, diligence and propriety and they were removable for misconduct. The 'assembly' was authorised to punish persons subject to its control for neglect of their duties or misconduct either by fine or suspension from the job. The regulation further provided that if the offence was of

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[1] BJ(C)P, No. 8 of April 3, 1806, Regulation 4 of 1806.

[2] *Ibid.*

criminal nature, the accused was to be handed over to the police.[1]

To enable the 'Collector of tax on pilgrims' to perform his duty effectively, he was empowered to levy small fines on any of the officers or servants attached to the Temple for neglect of duty or misconduct. Any person so punished might apply to the Board of Revenue for redress.

THE REGULATION 5 OF 1806

On April 7, 1806, another regulation (regulation 5 of 1806) was passed for preventing persons from evading payment of the tax established by the regulation 4 of 1806. It provided that the term 'Laljatri' was applicable to all classes of Hindus of 'substance and respectability'. If any person of that description would endeavour to evade payments of the prescribed tax by assuming an inferior rank, he must be compelled, not only to make good the difference between the sum actually paid by him and the established tax, but also to pay a fine equal to double the amount of the tax. However, the Collector was not competent to order any personal search or examination to be made of the pilgrims for the purpose of ascertaining the amount of cash in their possession.

Thus, these two regulations brought about a system of management of the Temple based on the long established precedents and at the same time amply provided means to check any oppression on the pilgrims. They wanted to restore the old discipline in all affairs of the Temple and give an impression to the people of their best intentions to maintain their much adored institution in proper form and sanctity.

ADMINISTRATIVE POLICY, 1806-1807

In the meantime, James Hunter took charge of his office at Puri on January 22, 1806. His salary was fixed at 500 rupees per month, and he was also allowed a commission at the rate of one and a half per cent on the gross amount of taxes collected from the pilgrims.[2] He was authorized to incur necessary

[1] BJ(C)P, No. 8 of April 3, 1806, Regulation 4 of 1806.

[2] JTC, Part I, Secretary to Board of Revenue, April 3, 1806. Also, W.F.B. Laurie, *Orissa, the Garden of Superstition and Idolatry*, pp. 57-8.

expenses for the support of the Temple, in accordance with the practices as prevailed under the Maratha Government.[1]

On August 12, 1806, James Hunter reported to the Board of Revenue that salaries of the servants of the Temple were small and the allowances received by them were mainly in shape of 'mahaprasad'. Many of them received only 'mahaprasad' and no allowance in cash. He expected that the total savings from the pilgrim tax after paying all expenses of the Temple would amount to nearly one lakh of rupees in a year.[2] On November 8, 1806, Hunter reported to the Board of Revenue that 'he has paid in cash nearly sicca Rs. 35,000 as was done in each former year, since the capture of the province'.[3] Thus, a large amount was paid each year according to the Maratha practice for maintenance of the Temple.

Some change was made in the rate of pilgrim tax in 1806. The Governor-General in Council approved of the modification on October 9, 1806, by which the fees of 'laljatris' remained unchanged but that of the other class of pilgrims was raised from two rupees to three rupees.[4] Obviously, the measure was adopted to augment the income from the tax as the largest number of pilgrims belonged to the inferior rank. At the same time the Governor-General in Council called for from local authorities a statement of the allowance assigned either in land or money for support of the Temple and of the actual expenses of the institution under the Maratha Government.[5]

On December 29, 1806, Hunter reported to the Board of Revenue that from a rough calculation, yearly loss to the Government in consequence of exemption of the tax to religious mendicants and traders living beyond the 'holy land' amounted to about Rs. 30,000. He believed that many pilgrims, who ought to pay the tax, evaded it by camouflaging themselves in appearance of religious mendicants. He suggested that such indulgence should be withdrawn and those pilgrims

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[1] BRP, No. 9 of March 11, 1844, Commissioner of Cuttack to Sadar Board of Revenue, August 26, 1843.

[2] JTC, Part I, James Hunter to Board of Revenue, August 12, 1806.

[3] W.F.B. Laurie, *Orissa, the Garden of Superstition and Idolatry*, p. 58.

[4] BRP, No. 27 of October 9, 1806, Secretary to Government to Board of Revenue, October 9, 1806.

[5] *Ibid.*

should be declared equally subject to the operation of the tax with other pilgrims.[1] The Government, however, did not violate the age-old custom and the indulgence continued as before.

In consequence of unsatisfactory accounts rendered by the 'Collector of tax on pilgrims' about the receipts and disbursements of the Temple and imperfect information obtained from him even after a long time about the resources of the Temple, the Governor-General in Council decided that an alteration was necessary in the constitution of that office. Accordingly, on June 14, 1807, the Governor-General in Council vested the superintendence of collection of the tax on pilgrims and management of the Temple in the Collector of Cuttack, under the general control of the Board of Revenue. Hunter was left to collect the tax on spot under orders of the Collector. George Webbs, Collector of Cuttack, was directed to bring up accounts of the receipts and disbursements of the Temple and to make a full enquiry about the lands assigned for its support.[2]

GEORGE WEBB'S REPORT, 1807

George Webb acted promptly and submitted his report to the Board of Revenue on December 19, 1807. Though he could not ascertain the actual revenue of the Temple, yet he suggested that the Government should take certain decisive steps in revenue matters. Of the 'Khanjas' or fixed assignments, he found that several had been brought on the 'jama' at the district. He recommended that all landed assignments of Jagannath should be brought on the rent-roll of the province and the revenue derived from those lands might be paid from the treasury of the Government for management of the Temple. It was more advantageous than allowing the servants of the Temple to collect rents directly from the landholders because there would not be any loss for the charges of collection. He also suggested that clothes required for the Temple could easily be supplied from the Company's warehouses and charges on that account could be omitted.[3]

1 JTC, Part I, Hunter to Board of Revenue, December 29, 1806.
2 BRP, No. 9 of March 11, 1844, Commissioner of Cuttack to Sadar Board of Revenue, August 26, 1843.
3 *Ibid.*, No. 30 of January 29, 1808, George Webb to Board of Revenue, December 19, 1807.

His enquiries showed that the average annual expenses of the Temple for the last six years had been Rs. 65,995.5 annas 9 'gandas' and 1 'kauri'. All kinds of receipts exclusive of cash advanced by the Government on the same average had been sa. Rs. 30,884. 12 annas and 13 'gandas' per annum. The cash advanced by the Government on the same average had been sa. Rs. 29,335. 11 annas 13 'gandas' and 1 'kauri' per annum. Webb proposed to cut some unnecessary expenses and fix the total annual expenditure of the Temple at sa. Rs. 56,342. 9 annas and 8 'gandas'. He further wanted that the total annual expenditure of the Temple should be met by the Government and the Government officers should collect rents from the Temple lands.[1]

ADMINISTRATIVE POLICY, 1807-1809

The Board of Revenue concurred with the views of the Collector that the excess amount paid for the maintenance of the Temple by the British Government since the occupation of the province should not be paid hereafter. Instead, they agreed with the suggestion of the Collector that the Government should pay the whole amount of Rs. 56,342. 9 annas and 8 'gandas' for the annual expenses of the Temple and the Temple lands should be managed by the Government. The Board confirmed his instructions to the officers of the Temple not to spend more than the amount fixed by him. They agreed to supply 484 yards of cloth annually for the use of Jagannath from the Government ware-house.[2] The Governor-General in Council approved of the propositions of the Board of Revenue for limiting the expenses of the Temple to the amount suggested by the Collector. They also did not object to the supply of clothes for Jagannath from the Government ware-house. Finally, they permitted to bring the Temple lands under direct management of the Government officers.[3]

Inspite of the improvement made by the Government in the established endowments of the Temple and other sources of

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[1] BRP, No. 30 of January 29, 1808, George Webb to Board of Revenue, December 19, 1807.

[2] *Ibid.*, No. 29 of January 29, 1808, Board of Revenue to Governor-General in Council, December 29, 1807.

[3] JTC, Part I, Governor-General in Council to Board of Revenue, January 29, 1808.

income, the amount was not found sufficient to meet the fixed expenses of the Temple. It was, therefore, decided by the Governor-General in Council on the suggestion of the Board of Revenue to grant an allowance at the rate of twenty per cent upon the net receipts from the pilgrim tax in addition to other endowments of the Temple so that 'the resources of the Government and the income of the Temple might rise and fall together.[1] However, this decision was not enforced and the Government continued to pay the fixed amount annually for management of the Temple.

For convenience of the pilgrims coming from different parts of India, the Government authorized some officers in different places of the Company's territories such as Dacca, Bihar, Benaras, Murshidabad and in the Madras Presidency to issue 'passes' to the pilgrims on receipt of the prescribed tax. This system helped the pilgrims to deposit their fees in places of their residence and when they arrived at Puri, usual 'passes' to visit the Temple were issued to them quickly without any cost and trouble.[2] As the collections from the pilgrim tax fell far short of expectations, the post of the Collector of tax which was originally filled up by a covenanted servant was opened to uncovenanted servants from 1809.[3]

In the meanwhile, the Government wanted to find out the proper person on whom the management of the Temple could be entrusted. It was not possible on the part of Christian authorities to manage the details of a Hindu temple for a long time. As early as October 9, 1806, the Governor-General in Council had directed the Board of Revenue to find out whether there was any other class of persons or any particular family besides the 'Dewal Purchas' in whom the power of control, consistent with the constitution of the Temple, could be properly vested.[4] James Hunter, the 'Collector of tax on pilgrims', fully supported this view. He pointed out that it was much desirable to withdraw all interference by the Govern-

[1] BRP, No. 19 of April 8, 1808, Secretary to Government to Board of Revenue, April 8, 1808.

[2] *Ibid.*

[3] BRP, No. 33 of March 17, 1809, Secretary to Government to Commissioner of Cuttack, March 17, 1809.

[4] *Ibid.*, No. 27 of October 9, 1806, Secretary to Government to Board of Revenue, October 9, 1806.

ment as regards the internal management of the Temple and in lieu, the entire management of the ceremonies and internal authority over the priests should be vested in one person on whom the proprietary right and patronage of the Temple should be gratuitously conferred and continued on hereditary basis. He further suggested that this right was partly usurped by the Maratha Government and its restoration would be considered by the Hindus as a peculiar mark of favour.[1]

Obviously, the choice fell upon the Raja of Khurda as his ancestors had supervised the affairs of the Temple from the days of the Mughal rule in Orissa. It was Ramchandra Deva of Khurda who restored order in the management of the Temple when chaos and confusion reigned supreme after the death of Mukunda Deva, the last independent Hindu ruler of Orissa, in 1568 A.D. In the last decade of 16th century Man-simha, the Mughal Governor of Orissa, recognized Ram-chandra Deva as the nominal 'Gajapati'* of Orissa and entrust-ed him with the superintendence of the temple of Jagannath. In succeeding periods, his family had continued to discharge the responsibilities of managing the Temple. It was only during the Maratha rule that the powers of the Raja of Khurda as regards the management of the Temple were partly usurped by the Government. In 1803 Mukunda Deva II was the Raja of Khurda when Orissa was occupied by the British. In the following year, he rebelled against the British but was defeated and kept in confinement for some time in Cuttack and next at Midnapore.[2] Khurda came under 'Khas' posses-sion of the Government. However, it was desired, as soon as possible, to reinvest the Raja with the powers of control and supervision which he formerly possessed over the internal management of the Temple.[3] James Hunter reported that he was not aware of any objection to the reinstatement of the Raja of Khurda as the Superintendent of the Temple. He also believed that his restoration to the former authority would not

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[1] JTC, Part I, James Hunter to Board of Revenue. November 11, 1806.

* The term 'Gajapati' was attributed to the sovereign authority of Orissa. It was traditionally associated with long titles of the rulers of Orissa.

[2] W.W. Hunter, *Orissa*, Vol. II, Appendix VII, pp. 190-91.

[3] JTC, Part I, Secretary to Government to Robert Ker, Magistrate of Cuttack, January 1, 1807.

be detrimental to the prosperity of the institution or collection from pilgrims.[1] The Raja of Khurda who was in confinement at Midnapore was released for that purpose.[2] However, it took sometime to entrust the Raja with the superintendence of the Temple for which a new regulation was drafted,[3] and subsequently passed by the Governor-General in Council on April 28, 1809.

REGULATION 4 OF 1809

The regulation 4 of 1809 was a comprehensive regulation, prepared in the light of six years' of British association with the Temple. It not only changed the pattern of the British management of the Temple, but also took into consideration various problems connected with the pilgrim tax. On the whole, it effected a new system of control and superintendence of the Temple.

It first rescinded two former regulations, regulations 4 and 5 of 1806, which were then in force. Next it vested the superintendence of the Temple and its internal economy, the conduct and managment of its affairs, and the control over the priests, officers and servants attached to the Temple in the Raja of Khurda who was to be guided by the recorded rules of the Temple or by ancient and established usage on all occasions. The Raja and his successors were to hold the position so long as they continued to conduct themselves with 'integrity, diligence, and propriety'.[4]

In order to perform his duties effectively, the Superintendent was empowered to punish persons subject to his control by imposing small fines on them for their misconduct or neglect of duties. In serious cases of offence he was authorized to remove any servant of the Temple, except the three 'Purchas'. Those three 'Dewal Purchas' were to be appointed by the Collector of Cuttack subject to the confirmation of the Government, and they were not to be removed from their offices with-

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[1] *Ibid.*, Hunter to Ker, January 31, 1807.

[2] *Ibid.*, Secretary to Government to Ker, March 5, 1807.

[3] BRP, No. 32 of March 17, 1809, Special Commissioner of Cuttack to Governor-General in Council, February 17, 1809.

[4] The Regulations and Laws in Bengal, Vol. VI, Regulation IV of 1809, Section 2.

out the sanction of the Governor-General in Council. However, those officers were required to work under the direction of the Raja and obey his orders without reservation. In the event of any violation of the established rules by the Raja himself, the 'Purchas' were empowered to represent the case to the British authorities for ultimate decision.[1]

The regulation made elaborate provisions for the convenience of the pilgrims and for smooth realization of the pilgrim tax. The collection of tax was entrusted, as before, to an officer with the designation of 'the Collector of the Tax on Pilgrims'. But that officer was subject to the control of the Collector of Cuttack.[2] The pilgrims, liable to pay the tax, were divided into 4 classes.* The pilgrims of first class or 'laljatris' were required to pay 10 rupees if they were coming from the northern side of India and 6 rupees if they were coming from the Deccan. The pilgrims of second class or 'nimlals' were required to pay in the above-noted manner 5 rupees and 3 rupees respectively. The pilgrims of third class or 'bhurungs' were required to pay 2 rupees only from whatever direction they came. Lastly, the pilgrims of fourth class or 'punj tirthees', who were not permitted to enter the Temple but allowed to perform their ceremonies outside it, were also required to pay two rupees.[3]

The regulation made separate provisions for different classes of pilgrims in the performance of their religious ceremonies. A pilgrim of the first class was to be allowed free access to the Temple for thirty days, and he was to be attended by a 'panda' or a 'parihari'* at all times he would enter the Temple. If he paid a further sum of ten rupees to the Collector of tax, he would be allowed to perform his religious ceremonies for an unlimited time, so long as he might wish to remain in

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1 The Regulations and Laws in Bengal, Vol. VI, Regulation IV of 1809, Section 3.

2 *Ibid.*, Section 5.

* The division was generally based on financial capacity of pilgrims and for the sake of convenience they were known by certain peculiar names.

3 The Regulation and Laws in Bengal, Vol. VI, Regulation IV of 1809, Section 7.

* A 'parihari' is a servant of Jagannath who conducts the pilgrims through the doors of the Temple and presents them to the Lord.

the town. A pilgrim of the second class was to be allowed access to the Temple for 10 days at the time of the Car Festival and for 7 days at any other period of the year. A pilgrim of the third class was to be allowed access to the Temple for 5 days in time of the Car Festival and for 4 days on all other occasions. These two classes of pilgrims were also to be attended by a 'panda' or a 'parihari' in visiting the Temple. A pilgrim of the fourth class was to be allowed to perform his customary ceremonies outside the Temple for 16 days, attended by peons from the office of the Collector of Tax. It was further declared by the regulation that the pilgrims, who were entitled to visit the interior of the Temple, would be permitted to enroll themselves under whichever class they might prefer on payment of the prescribed rate of tax.[1]

The regulation elaborated the duties of the Collector of tax. He was required to supervise the work of darogahs of two ghats, ghat Atharnala and ghat Lokanath, who were stationed in those places to collect tax from pilgrims. The Collector was required to take special care that the pilgrims were not 'impeded, delayed, or molested in any manner'. In case of sickness of the pilgrims, the Collector of tax was empowered to grant reasonable extension of time over and above their prescribed time limits. He was required to maintain a register of all 'passes' granted by him to the pilgrims. All 'pandas' and 'pariharis' were bound to return the 'passes' of the pilgrims under their respective charge at the end of the prescribed period. In case of their failures, the Collector of tax was entitled to impose fine on them. In the same manner, the peons were responsible for returning the 'passes' of the fourth class pilgrims.[2]

In conformity with the established usage, certain classes of pilgrims were exempted from the tax. They were the religious mendicants of all sorts, the persons born within the 'holy land' (between river Baitarini and river Rishikulya) or who might have resided with their families for a period of 10 years within the above limits and the persons who carried water

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[1] The Regulations and Laws in Bengal, Vol. VI, Regulation IV of 1809, Section 7.

[2] *Ibid.*, Sections 8 and 15.

from the Ganges to Jagannath (correctness to be tested if they would pour water over the image at Lokanath). Also the persons who came to the town of Puri for trade or any other purpose except pilgrimage were exempted from the payment of tax. The traders were allowed free access to the town throughout the year except 12 days from the commencement of 'Rath Jatra.' All persons, including native civil and military officers and sepoys, who did not come within the above-noted categories of persons, were declared subject to the payment of tax like all other Hindus. Only those pilgrims who were in an actual state of poverty or declared as 'kangals' were entitled free access to the temple for 3 days.[1]

Lastly, the regulation directed the Collector of tax to give every attention to the religious opinions of the Hindus at all times which might be consistent with the general regulations and with the maintenance of peace and good order at the Temple and its vicinity. On no account his peons or ministerial officers were to be permitted to enter the precincts of the Temple.[2]

THE REGULATION 11 OF 1810

One year later, some minor changes were introduced in the above-noted regulation by the regulation 11 of 1810. All native military officers and sepoys, who might be actually on duty within the limits of the town or marching through it, were exempted from payment of the tax. The servants of European officers on duty at Puri were also exempted from all taxes.[3] The exemption allowed by the regulation 4 of 1809 in favour of persons born or residing for 10 years within the limits of 'holy land', was found to be detrimental to the public revenue and therefore the rules were modified. It was provided that during the principal festivals such as 'Rath Jatra' and 'Dola Jatra', the exemption was to be restricted to the persons born within 20 miles of the town of Puri i.e. from Pipli in north to Manickpatna in south. During those festivals, the persons residing between Pipli and river Baitarini

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[1] *Ibid.*, Sections 18 and 22.

[2] The Regulations and Laws in Bengal, Vol. VI, Regulation IV of 1809, Section 23.

[3] *Ibid.*, Regulation XI of 1810, Sections 2 and 3.

to north and between Manickpatna and river Rishikulya to south were subjected to payment of the tax at a lower rate than other pilgrims. They were required to pay one rupee, 8 annas, and 4 annas for each 'laljatri', 'nimlal' and 'bhurang' respectively. Sixteen low castes or 'punj tirthees' were enlisted by this regulation who were not to be permitted to enter the Temple.[1]

Thus, by 1810 the British Government had formulated a policy to be followed in the administration of Jagannath Temple which was maintained till 1840 without any substantial change.

THE SECOND PHASE : 1810-1840

The management of a Hindu temple by a Christian Government was obnoxious in the eyes of devout Christians. The European mind was first awakened by the fearful accounts of Jagannath Temple, its festivals and customs narrated by Claudius Buchanan, Vice-Provost of the College of Fort William, who visited Orissa in 1806. He gave a horrible picture of the pilgrims and their self-immolation under the wheels of the Car of Jagannath. The teachings of Christianity to the pilgrims by distributing copies of the Bible, he believed, would remove such superstitious practices, and he wanted the Government to undertake such measures. But such views went against the adopted policy of the Company's Government. On May 25, 1813, Buchanan wrote to the Court of Directors: "Are we afraid that 'the wretches, who come to lay their bones within the precincts of Jaggernaut' would mutiny and take away our dominions? Would not the consequence be rather that 'the blessing of him that was ready to perish' would rest upon you ?"[2] It raised a cry of indignation in England against the Government which tolerated such things. Kaye remarked, "in truth the whole subject was not very clearly understood, and as commonly happens in these cases, the loudest noise came from the emptiest understandings.[3]

The missionary activities, which began ten years later in

[1] The Regulation and Laws in Bengal, Vol. VI, Regulation XI of 1810, Sections 4 and 5.

[2] J.W. Kaye, *Christianity in India*, p. 372.

[3] *Ibid.*

Orissa, succeeded in putting the matter more clearly before the British public and brought strong pressure on the home government to take decisive steps against the Company for its official connection with the Temple. But in 1813 the time was not ripe and it was not possible for Buchanan to be successful in his mission. However, when the Charter Act of 1813 made some provisions for an Episcopal establishment in India, the Court of Directors declared that the pilgrim tax should be used only for the interest of the Temple rather than as a source of revenue to the Government.

In 1813 John Richardson, a member of the Board of Revenue was deputed to supervise the settlement of land revenue in Orissa. He became keenly interested in the affairs of Jagannath Temple. In that year too an accident occurred which moved him deeply and led him to suggest to the Government to take certain redical steps to change the administrative system of the Temple. At the time of the car festival, a large number of prilgrims gathered in the vicinity of Atharanala ghat to enter the town. Their number exceeded one lakh and consequently it was difficult to examine them for collecting the tax. When the gates were opened, the pilgrims in their eagerness to get into the town trampled on each other and thus 36 pilgrims were crushed to death.[1] Richardson reported this sad incident to the Government and advocated for the abolition of the pilgrim tax.[2] His suggestions were based on three considerations. That the casualities which frequently occurred while admitting pilgrims to the Temple would stop with the abolition of the pilgrim tax. Its abolition would also enhance the reputation of the British for liberality and tolerance. And lastly, that the tax of that nature was quite incompatible with the principles of the Christian religion. It was, to some extent, 'a state sanction to idolatry'.[3]

The Government strongly objected to Richardson's pro-

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[1] BRP, No. 30 of February 5, 1814, Collector of Cuttack to Secretary to Richardson, August 16, 1813.

[2] *Ibid.* No. 29 of February 5, 1814, Richardson to Governor-General in Council, January 8, 1814.

[3] *Ibid.* No. 36 of February 5, 1814, Secretary to Government to Richardson, February 5, 1814.

posals on several grounds. As regards the casualities of pilgrims in time of principal festivals, it was argued, those occurrences might be effectually prevented in future by proper arrangements and precautions in time of the admission of pilgrims to the town and to the Temple. The Government did not believe that its liberality and tolerance were ever in question by the imposition of tax on pilgrims. The tax was not established by the British but existed much before their occupation of the Province. They only systematised the whole thing for convenience of the pilgrims. Thus the arguments of Richardson did not appear to the Governor-General in Council as convincing or conclusive. They further pointed out that the Government would be very unwilling to meet the expenses of the Temple from its general resources if the tax would be abolished. On the other hand, it could be apprehended that "to withdraw all pecuniary support from the Temple would certainly not reflect credit either in the minds of most of the surrounding states, or of our own subjects, on the British Government and might even excite impressions, the effects of which cannot be exactly foreseen".[1] The abolition of the tax also appeared objectionable in the interests of pilgrims themselves as it might lead to the 'most grievous exactions' from them by 'pandas' and 'pariharis' of the Temple. Thus, the Governor-General in Council rejected the idea of abolishing the tax and suggested some measures to place the collection of tax on a better footing. It was ordered that the Collector of Cuttack should exercise 'direct and immediate control' over the collection of tax on pilgrims. He was authorized to receive a commission at the rate of 5% on the gross revenue derived from the tax.[2]

Richardron had also proposed to remove the Raja of Khurda from his office. His opinion was based mainly on two grounds. First, the Raja generally showed "an offensive, contemptuous and disrespectful" behaviour towards the Tributary Rajas of Orissa and such other persons of high social order when they undertook pilgrimage to Jagannath. He stated

[1] BRP, No. 36 of February 5, 1814, Secretary to Government to Richardson. February 5, 1814.

[2] *Ibid.*

that he had received complaints against the Raja from the Rajas of Kandpara and Kimedi and the Rani of Sambalpur.[1] Richardson believed that since the Raja of Khurda had become the Superintendent of the Temple and resided at Puri, the number of first class pilgrims had decreased. Secondly, evidences were available that the Raja of Khurda was contemplating to restore his former power in Orissa through the position and influence he had gained as the Superintendent of Jagannath Temple. Richardson warned that it would create only unnecessary complications in an otherwise peaceful administration of Orissa.[2] However, the Government was not convinced by those arguments and replied that the abuses of which the Raja was stated to have been guilty might be in future prevented by suitable checks in the exercise of his authority and by 'seasonable admonition'. It was also pointed out that the case of his misconduct should be fully established, and that he should not be removed on 'light or trivial grounds'.[3] The Government could not think of managing the Temple solely by civil officers. It was also believed that "the active interference of a European officer in affairs of this nature, was by all means to be avoided on every account, lest offence should be given to the people in some very tender point by the mistakes into which a European might be easily led in matters so very foreign to him, and lest the British Government and its officers should be held forth in the light of direct promoters of an odious superstition". On the whole, the settled policy of the Government was "to support the natives in the undisturbed exercise of their religious rites and ceremonies and and to preserve their places of worship inviolate".[4]

After rejection of Richardson's proposals and declaration of its policy by the Government, there was no further discussion on any question of alteration in the administrative system of the Jagannath Temple till 1832. In the meantime,

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1 BRP, No. 29 of February 5, 1814, Richardson to Governor-General in Council, January 8, 1814.

2 *Ibid.*

3 *Ibid*, No. 36 of February 5, 1814, Secretary to Government to Richardson, February 5, 1814.

4 *Ibid.*, No. 24 of July 1, 1814, Secretary to Government to Richardson, July 1, 1814.

two developments proceeded side by side. The Government adopted measures to facilitate convenience of the pilgrims, and the christian missionaries resorted to more vigorous activities in Orissa.

CONSTRUCTION OF JAGANNATH ROAD

Before the British occupation of Orissa, the road that connected Bengal with Cuttack ran through Midnapore, Jaleswar, Basta, Ramchandrapur, Balasore, Soro, Bhadrak, Dhamnagar, Barua, Arakpur and Padmapur.[1] That was the route usually taken up by most of the pilgrims from Northern India on their way to Puri. The road from Cuttack to Puri was only the continuation of the Bengal-Cuttack road through Balianta, Balakati and Pipli. As regards the condition of the said road, a British historian later remarked "What were then called roads were mere fair-weather cart-tracts, without bridges and without proper ferry arrangements for crossing the numerous water-courses which they intercepted".[2] The British administrators decided to construct a better road over the old route from the northern border of Orissa to Puri, particularly for the advantage of the pilgrims. That road came to be known as the Jagannath Road. In October 1812, Captain Sackville was appointed as the Superintendent of the work. The greater part of the earth-work of the road between Cuttack and Puri was completed in 1813, but it was not reported as 'passable' uptil 1817. The road between Cuttack and Bhadrak was completed about 1819, and from that place beyond Balasore in the following year. The road was finally reported as complete in 1825.[3]

NUMBER OF PILGRIMS

A large number of pilgrims visited the Temple throughtout the year. The principal festival of Jagannath, the 'Rath Jatra' or the car festival attracted the maximum number of pilgrims in any year. Besides, other festivals such as 'Chandan Jatra' and 'Snan Jatra' also drew many pilgrims. In 1807-8 the

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[1] James Rennell, *Memoir of a map of Hindustan or the Mughal Empire*, p. CXXX.

[2] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 81.

[3] *Ibid.*, pp. 82-3.

total number of pilgrims to Puri was 83,685. Of these 56,763 entered the town from northern side and the rest from south.[1] Stirling in his accounts of Orissa gave 'a statement of pilgrims of all classes' who attended the three great festivals from 1817-18 to 1821-22.[2].

Year	*Paying Tax*	*Exempt*	*Total*
1817-18	35,941	39,720	75,661
1818-19	36,241	4,870	41,111
1819-20	92,874	39,000	1,31,874
1820-21	21,946	11,500	33,446
1821-22	35,160	17,000	52,160

But at times the number of pilgrims far exceeded the above figures. At the Car Festival in July 1825, the number was stated to be 2,25,000.[3] The number of pilgrims registered in the office of the Collector of tax did not necessarily represent the total number of pilgrims to Jagannath. Hunter found that, "The registered number itself seldom represented one-half the actual total that crept into the city unperceived." He further stated that "not a day passes without long trains of footsore travellers arriving at the shrine. At the Car festival, food is cooked in the temple kitchen for 90,000 devotees; at another festival for 70,000; and on the morning of one of their solemn full moons, 40,000 pilgrims wash away their sins in the surf. The number that daily flocks in and out of the holy city nearly 50,000 a year, and sometimes amounts to 3,00,000".[4] James Peggs, a British missionary, believed that the number of all classes of pilgrims who visited the Temple annually was never below 50,000 and at times it went upto 3,00,000.[5]

ACCOMMODATION AND MEDICAL FACILITY FOR PILGRIMS

In July 1825 Thomas Pakenham, the Collector of Cuttack, drew the attention of the Commissioner to the sufferings of the pilgrims at the time of the Car Festival and other 'jatras'

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[1] G. Toynbee, *A Sketch of the History of Orissa (1803-1828)*, p. 62.
[2] Stirling, *An Accouut of Orissa Proper or Cuttack*, p. 127.
[3] James Peggs, *India's Cries to British Humanity*, p. 85.
[4] W.W. Hunter, *Orissa*, Vol. I, pp. 124-6.
[5] James Peggs, *India's Cries to British Humanity*, p. 85.

of Jagannath. Large number of pilgrims usually died in epidemics. Tragedies occurred mostly due to the want of proper accommodation and shelter. In order to mitigate this difficulty, the Collector suggested that rest-houses or 'sarais' should be erected at convenient distances for the accomodation of the pilgrims and on occasions of special and large gatherings, temporary sheds should be constructed to afford comfortable shelter.[1]

Pakenham submitted a detailed scheme for the erection of 'sarais' on the Jagannath Road from river Subarnarekha to Puri. At Puri, there was only one 'Dharmasala' and that too was not spacious. He recommended that a building, capable of accommodating 2000 to 3000 persons, should be constructed. On the road from Puri to Cuttack, a distance of 50 miles, there were several bazars. Only two 'sarais', capable of holding 500 persons each, were considered sufficient for accomodating pilgrims on that part of the road. At Cuttack, there was no need for building a 'sarai', but the long range of buildings, created for the use of troops in emergency, could serve the purpose of a 'sarai', except for the time when the Government required them for troops. From Cuttack to Balasore, a distance of 110 miles there were only 5 bazars. Except for those bazars, there was very little accommodation for travellers on that long road. Pakenham thought that on the banks of rivers like Brahmani, Baitarni, and Salandi, which were convenient halting places, it was desirable to erect 'sarais', capable of holding 800 persons each. He wanted two more 'sarais', one, between Cuttack and river Brahmani and the other, between river Salandi and Balasore, of the same capacity. In the remaining portion of Jagannath Road, he suggested for two large 'sarais', one at Balasore and the other at Basta.[2]

As regards medical facilities, Pakenham found that there was a small pilgrim hospital at Puri under a native doctor. For better treatment of pilgrims, he recommended for the appointment of an assistant surgeon in charge of that hospi-

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[1] CRR. Acc. No. 73, Pakenham to Secretary to Commissioner of Cuttack, July 21, 1825.

[2] *Ibid.*,

tal. He was also required to afford medical assistance to European families that visited Puri in summer seasons.[1]

These suggestions of Thomas Pakenham were duly considered by the Government, and they were accepted as desirable projects. The Government agreed that the banks of the principal rivers, where the pilgrims and travellers suffered long detention, were the spots where the accomodation was most urgently required. At other halting places, 'sarais' of smaller dimensions would be useful. The Government also felt it desirable to construct a permanent buildings for pilgrims at Puri. They even did not object to the appropriation of the military stables at Cuttack for accommodating pilgrims. For the construction of those buildings, the Commissioner was directed to finalize the plans and estimates. But on questions of financing the scheme, the Government showed a different attitude. They stated that the surplus from the pilgrim tax had been almost fully spent in the construction of the Jagannath Road and, with limited means from that source, the construction of 'sarais' was not feasible at that time. They only directed the Commissioner that "considering the extent of the accommodation required, it is peculiarly necessary that the most careful economy should be observed, that the amount available may be so appropriated as to do the greatest possible good".[2]

As regards the appointment of a European medical officer at Puri, the Government found the proposal 'impracticable'. Since a permanent arrangement was not possible, they wanted that the Civil Surgeon at Cuttack, transferring for the time his duties to the Medical Officer of that place, would attend the pilgrims at Puri during the principal festivals. For the convenience of the pilgrims, it was decided to provide an extra establishment of boats at the chief ferries so as to obviate any delay in passing them. The Government wanted to induce the residents of the Province and especially the holders of religious and charitable endowments to play in active part in matters of affording relief to pilgrims. It was hoped

[1] CRR, Acc. No. 73, Pakenham to Secretary to Commissioner of Cuttack, July 21, 1825.

[2] *Ibid.* Acc. No. 501, Secretary to Government to Commissioner of Cuttack, August 25, 1825.

that by such means, "benefits might be expected to result beyond what can be anticipated from the best exertions of the officers of Government." The authorities admitted their limitations that the utmost effort of the Government was only a partial remedy for improving the conditions of pilgrimage. Still, 'it is not the less necessary, however, to do what humanity requires."[1]

In 1827 several 'sarais' or rest-houses were erected at Bhadrak, Akhuapada, Balasore, Basta and Rajghat. The amount spent in the construction of these buildings was donated by a Hindu nobleman of Bengal. The Government planted groves of mango and other trees to afford shade to pilgrims and travellers at various places. The zamindars were asked to plant such groves along the road where it passed through their estates.[2]

INCOME FROM THE PILGRIMS TAX

The income from the pilgrim tax formed 'an important item' in the British revenue from Orissa. From a statement of the Revenue Accountant's Office at Fort William, it is gathered that the total collection from the pilgrim tax from 1805-6 to 1826-27 was sicca Rs. 21,42,591-1-7 pies which came to an average of about 1 lakh of rupees per annum. Deducting total charges of the Temple for the above period, the net receipts from the tax was Rs. 10,36,456.10.2 pies which was on an average of Rs. 47,111-10 annas per annum.[3] Hunter stated that during "the twenty-one years ending 1831 it yielded a balance of £139,000 or £6619 per annum, after deducting £5955 a year from the gross returns for the temple expenses and charges." He, of course, added that "It was felt, however, that the money thus made was to a certain extent the price of a State sanction to idolatry."[4] Estimating the value of the rupee at £0-2s-6d, the net receipt from the tax was Rs. 52,952 per

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[1] CRR, Acc. No. 501, Secretary to Government to Commissioner of Cuttack, August 25, 1825.

[2] G. Toynbee, *A Sketch of the History of Orissa* (*1803-1828*), pp. 83-4.

[3] JTC, Part I, Statement of Collection etc. from the Temple of Jagannath, Revenue Accountant's Office, March 15, 1828.

[4] Hunter. *Orissa*, Vol. I, pp. 124-5.

annum.[1] Thus the annual income from the pilgrim tax was on an average about 50 thousand rupees.

MISSIONARY ACTIVITIES AT PURI

The views of Claudius Buchanan about the worship of Jagannath and the pilgrims of Puri had already been discussed earlier. But the missionary preachings against idolatry in general and worship of Jagannath in particular did not begin in Orissa until 1823. The Batist Missionary Society undertook the work at Puri in right earnest because "a blow at Idolatry here, will prove 'a blow at the root."[2] They understood that Jagannath or the 'Lord of the Universe' drew 'national reverence' from the people of India. "Here is the national temple whither the people flock to worship from every province of India. Here is the Swarga-dwara, the Gate of Heaven, whither thousands of pilgrims came to die, lulled to their last sleep by the roar of the eternal occan."[3] Such was the estimate of the Lord and the Temple by the Europeans which naturally attracted the missionaries to the place to work for their cherished desire to abolish idolatry.

On February 12, 1822, two missionaries, William Bampton and James Peggs, arrived at Cuttack to begin their activities in Orissa. In July 1823, Bampton visited Puri during the Car Festival and from that time onwards, with characteristic missionary zeal, he began his activities against idolatry. It was their belief that "Jugernaut, the great, the obscene, the bloody Juggernaut, must fall ; long, perhaps, will be the struggle and fierce the conflict, but he must fall; and the place which knows him now will know him no more for ever."[4]

Bampton began his activities at Puri by distributing books and pamphlets to the people which vehemently criticised idolatry and upheld Christianity and its ideals. He preached the Gospels every evening and denounced the worship of Jagannath openly. In 1824, the Report of the Missionary Society stated. "At Juggernaut, Mr. Bampton continues to labour with an assiduity worthy of the cause in which he is embarked.

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[1] Pagss, *India's Cries to Britirh Humanity*, p. 95.

[2] Peggs, *A History of the General Baptist Mission*, p. 371.

[3] Hunter, *Orissa*, Vol. I, p. 84.

[4] Peggs, *A History of the General Baptist Mission*, p. 146.

His station is in many respects peculiarly important, yet peculiarly painful. Cut off almost from Christian intercourse, banished even from European society—surrounded only by idolators, who are mad upon their idols—beholding sand plains strewed with human bones, and the lofty tower of the horrid temple in which Satan seems to entrench his power, this, circumstance from day to day, from month to month, from year to year, the Missionary has peculiar need for confidence in heaven, and exercising that confidence; even at Juggernaut, our brother declares he expects great things."[1] But it was not possible for Bampton to influence so easily the faith of a people which had been moulded by age-old customs and religious feelings. On the contrary, when they found that a European was circulating pamphlets and preaching against their cherished deity, they violently opposed him. Bampton himself wrote in 1825, "If the violent partizans of Juggernaut imagine, that either clamour or bitter reproach will deter me from preaching the Gospel among them, they have formed a false estimate of my character . . . though this people oppose, opposition strengthens the spirit that contends with it ; and the Lord being my helper I shall doubtless be a match for them." He found that he had not only to contend against 'most ignorant idolators' but also to convince the 'learned' people who had acquaintance with European science. In the Festival of 1830, he reported that many 'learned and respectable' Bengalis were present who had been educated 'in the colleges and institutions of European literature in Calcutta and its vicinity'. He was surprised to find that those people, inspite of their acquaintance with European science and their cultivation of "European manners and customs, could adore the detestable wooden idol, with as much apparent devotion as the most ignorant idolater.".[2] Bampton's days were soon numbered and he died on December 17, 1830 at Puri.

After the death of Bampton, the enthusiasm of the missionaries at Puri to preach agaist the idolatrous practices, declined for sometimes. But elsewhere in Orissa they succeeded in converting some Oriyas into Christianity, and it is interesting to

[1] Peggs, *A History of the General Baptist Mission*, p. 260.
[2] *Ibid.*, p. 265.

note that the first Oriya convert was a Brahmin named Gangadhar. He was engaged in assisting Sutton who preached at Puri for sometimes after Bampton. The 'pandas' of Jagannath violently opposed Sutton's preachings. They, as Sutton reported in 1832, excited 'madness of the mob'. He said, "The opposition in way of obscene abuse, runs very high, and has probably deterred one or two from making a public confession. Oh the abominable expressions shouted out against Gunga and me this evening! It would frighten half England to hear them. Still I have no doubt it produces a favourable effect. All reasonable persons see that abuse is not argument, and that we do not deserve this treatment." At the end of 1832, Sutton left Puri and the missionary station was not regularly occupied from that time. Perhaps the missionaries were disheartened because of popular opposition to their activities. However, the place became their 'scene of occasional exertion' as they decided in 1837 that Puri should be visited during various festivals by the neighbouring missionaries.[1]

Besides their efforts to mould the public opinion by preaching the Gospels and denouncing the worship of Jagannath, the missionaries exerted to draw the attention of the Government to two facts connected with the pilgrims. First, they pointed out that immolations under the wheels of the Cars of Jagannath occurred frequently.[2] But Andrew Stirling, who witnessed the ceremony during four years of his service at Cuttack, found only three such cases. About those three cases he said that "one of which I may observe is doubtful and should probably be ascribed to accident; in the other two instances the victims had long been suffering from some excruciating complaints, and chose this method of ridding themselves of the burden of life, in preference to other modes of suicide so prevalent with the lower orders under similar circumstances."[3]

Secondly, the missionaries pointed out that the mortality attendant and consequent upon the pilgrimages exceeded conception and in enormity were 'almost beyond the bounds of credibility'. Dr. Carry observed : "Idolatry destroys more

[1] Peggs, *A History of the General Baptist Mission*, pp. 266-8.
[2] *Ibid*., p. 178.
[3] Striling, *An Account of Orissa proper or Cuttack*, p. 127.

than the sword, yet in a way which is scarcely perceived. The number who die in their long pilgrimages, either through want or fatigue, or from dysenteries and fevers, caught by lying out, and want of accommodation, is incredible."[1] Colonal Phipps, a British soldier who witnessed the Car Festival in 1822, described the miseries of pilgrims and death occassioned by pilgrimage in almost shocking terms. He said, "The loss of life by this deplorable superstition, probably exceeds that of any other. The aged, the weak, the sick, are persuaded to attempt this pilgrimage, as a remedy for all evils. The number of women and children, also, is very great. The pilgrims leave their families and occupations, to travel an immense distance, with the delusive hope of obtaining eternal bliss. Their means of subsistence on the road are scanty; and their light clothing and little bodily strength are ill calculated to encounter the inclemency of the weather... The pilgrim, on leaving Juggernaut has still a long journey before him; and his means of support are often almost, if not quite exhausted. The work of death then becomes rapid; and the route of the pilgrims may be treated, by the bones left by jackals and vultures. The country near the temple seems suddenly to have been visited by pestilence and famine Dead bodies are seen in every direction. Parriar dogs, jackals and vultures, are observed watching the last moments of the dying pilgrim, and not unfrequently hastening his fate."[2]

C. Lacey, who witnessed the Car Festival in July 1825, wrote : "The mortality did not much appear before 16th; on the 19th it was exceedingly bad, for the day before the rain began to fall, and more came on the 19th and 20th; and for the next three days it fell in torrents. At this time the scene had reached its height. In every street, corner, and open space, in fact wherever you turned your eyes, the dead and dying meet your sight. On the evening of the 19th, I counted upwards of sixty dead and dying, from the temple down to the bottom end of the hospital (about half a mile) leaving out the sick, that had not much life. At a corner opposite the hospital, on a spot of ground twelve feet square,

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[1] James Peggs, *India's Cries to British Humanity*, p. 123.

[2] *Ibid*,, pp. 122-3.

I counted ten dead and five sick."[1] James Peggs, who resided at Cuttack for nearly three years and a half, witnessed the Car Festival in 1824 and 1825. He stated that "At Cuttack and Jagannath I have seen numbers of the dying and dead pilgrims; and one, morning, near the temple, I counted between twenty and thirty skulls in one place . . . where the suttee has slain its thousands, pilgrimage has slain its tens of thosuands!"[2]

When the missionaries failed to do anything against the system of idolatory and when they found that large number of pilgrims courted death in their pilgrimage, they laid entire blame on the shoulders of the Government. It became their conviction that "The support and protection of Government is the great bulwark of Juggernaut's strength, and the all prevailing plea for his divinity."[3] In their views, the pilgrim tax was a great slur on the good name of the Christian Government and the 'pilgrim hunters' were responsible for enticing a large number of pilgrims to the Temple. In 1822 Col. Phipps reported that, "It having been decided that a tax should be levied, every precaution was taken to make it yield as much as possible." He noted that 'pandas' and 'pariharis' had a number of subordinate agents, who travelled about in search of pilgrims, and brought them in companies to Jagannath. He further stated that, "The Government, at first, authorized these people to collect at the barriers a fee from the pilgrims for their own benefit; but, this privilege having been abused, it was resolved that the British Collector should levy, besides the tax of the State, an additional one, the amount of which he subsequently paid over to the purharees and pundas, in such proportions as they were entitled to, from the number of pilgrims which each had succeeded in enticing to undertake the pilgrimage."[4]

About the conduct of the 'pilgrim hunters' "The Friend of India" very forcibly observed in October 1825 : "We have a body of idol missionaries, far exceeding in number all the

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1 James Peggs, *India's Cries to British Humanity*, p. 124.
2 *Ibid.*, p. 125.
3 James Paggs, *A History of the General Baptist Mission*, p. 267.
4 James Peggs, *India's Cries to British Humanity*, pp. 83-4.

Christian Missionaries, throughout the world, going forth from year to year to propagate delusion, and proclaim for the sake of gain (what perhaps not one among them believes), the transcendent efficacy of beholding—A Log of Wood; and these, through a perversion of British humanity, regularity and good faith, paid from year to year by the officers of a Christian and a British Government! But that which most fills the mind with distress, is the use which these ministers of deception make of the British name throughout the country". "The tax on the idol", continued the Friend of India, "adds strength to the delusion, and increases from year to year those scenes of death at which human nature shudders". It concluded that the tax which was levied on the pilgrims, "is sinking the British name to the lowest pitch of degradation." Peggs declared that the system was 'inhuman, impolitic, and unchristian' and demanded its speedy abolition.[2] "I imagine", said Stirling, "the ceremony would soon cease to be conducted on its present scale and footing, if the institution were left entirely to its fate and to its own resources, by the officers of the British Government."[3]

In 1825 the Baptist Missionary Society adopted certain measures to remove British connection with idolatry in India. They decided to put pressure on the home government and presented petitions to the House of Commons and the Court of Directors of East India Company against 'British support of Hindoo Idolatry'. They steadily persued the matter, and in course of a few years their efforts were crowned with 'considerable success.'[4]

ATTEMPTS FOR ABOLITION OF THE PILGRIM TAX : 1831-1840

In 1831 Lord William Bentinck, the Governor-General, took into consideration the subject of the pilgrim tax. He did not agree at all with the views of the missionaries to abolish the tax. In his minute of March 25, 1831, he recorded his opinions on the matter. He said : "He deems it the bounden duty of a Government ruling over a Hindoo and Mussalman

[1] Jammes Peggs, *India's Cries to British Humanity* pp. 129-31.
[2] *Ibid.*, p. 133.
[3] Stirling, *An Account of Orissa proper or Cuttack*, p. 125.
[4] James Peggs, *A History of the General Baptist Mission*, p. 269.

community, and professing a respect for their religion and customs, to protect and aid them in the exercise of those harmless rites, which are not opposed, like suttee, infanticide and self-immolation to the dictates of humanity, and of every religious creed ; that he therefore thinks that all those places of pilgrimage, with those who frequent them, are upon principle entitled to our special care ; that a tax upon pilgrims is just and expedient."[1]

Inspite of Bentinck's views against abolition of the pilgrim tax, the Sadar Board of Revenue gave a proposal to the-Government of Bengal in July 1832 for reconsidering the matter.[2] In their opinion, the management of the religious centres such as, Gaya, Allahabad and Jagannath, by the Government officers encouraged the pilgrimage. But the Government did not see any propriety in withdrawal of the tax particularly in interference with the concerns of Jagannath.[3]

Yet, the Board requested WIlliam Wilkinson, the Collector of Puri, to report whether he was aware of any objection to the cessation of intereference of the Government in internal management of the Temple. He was also required to suggest the means by which the control exercised by the officers of Government could most easily be withdrawn. Wilkinson agreed with the Government that it was inexpedient to abandon the tax and thus expressed against the views of the Board. However, he made certain observations regarding the affairs of the Temple and the pilgrim tax.[4]

From records of the first two years of the acquisition of the province when no tax was levied on pilgrims, one could reasonably hope that abolition of the tax would again greatly increase the number of pilgrims. But it was equally important that the Temple could not be left to be managed by its own endowments without the Government being guilty of a breach of faith. He drew attention to section 30 of the regulation 12 of 1805 by which the Government was bound to

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[1] PP,HC, 1837, Vol. 43, Paper No. 357, Court of Directors to the Governor-General in Council, Miscellaneous, Revenue Deportment, Feb. 20, 1833, No. 3.

[2] Laurie, *Orissa, the Garden of Superstition and Idolatry*, p. 83.

[3] *Ibid.*

[4] JTC, Part II, Wilkinson to Commissioner of Cuttack, May 7, 1833.

supply the deficiency in management of the Temple. If the tax was to be abolished, the Government should have to pay, out of its revenue, a sum of Rs. 36,000 annually which was the average deficit of the Temple. Therefore, he argued that continuation of the tax would save the Government from financial burden and also a small surplus from the tax could be utilized in the construction and repair of bridges, roads and 'sarais' for convenience of the pilgrims.[1]

As regards the Government interference in the management of internal affairs of the Temple, he pointed out that the interference was already limited by the regulation 4 of 1809 which had vested the responsibility on the Raja of Khurda. Being the Superintendent of the Temple with his head-quarters at Puri, the Raja was required to manage its internal affairs. The Government paid fixed monthly amount to the 'Purchas' for expenses of the Temple. They also received sums from pilgrims inside the Temple for performing certain ceremonies of which they rendered monthly accounts to the Collector of Puri. Those monthly payments and receipts were entered in the accounts without any scrutiny being made unless the Raja specially brought to the notice of the Collector any embezzlement or misappropriation by the 'Purchas'. Taking all these points into consideration, Wilkinson concluded : "Should Government deem any change necessary, I would recommended in preference to any other, the total abolition of the tax, and a grant of the donation from its treasury, stipulated by section 30, Regulation XII of 1805, and placing the disbursements and general control of the temple under the sole management of the Raja of Khoorda. However, it is my opinion, that it is the best policy to continue things as they are."[2]

In the meantime, Charles Grant, President of the Board of Control in Lord Grey's ministry (1830-4), considered the whole question connected with the pilgrim tax in India in a different light. He was convinced that the Government, with best of intentions, had allowed its toleration to fructify into active patronage of idolatry and that the support given by

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[1] JTC Part II, Wilkinson to Commissioner of Cuttack, May 7, 1833.
[2] *Ibid.*

the State might be much relaxed without any breach of existing obligations. He was determined, in conjunction with the Court of Directors, to instruct the Government of India to to take some decisive steps to modify the whole perspective regarding the pilgrim tax and the management of temples in India. A despatch was prepared which received the signatures of the Court of Directors on February 20, 1833.[1]

The despatch began with a definition of toleration which it was incumbent upon the Government to observe. "All religious rites and offices", it said, "which are in this sense harmless, that they are not flagrantly opposed to rules of common humanity or decency, ought to be tolerated. however false the creed by which they are sanctioned. But they could not properly be said to be tolerated, if those who are engaged in them did not experience that ordinary degree of protection to which every citizen not offending against the laws is entitled at the hands of his rulers". Views on toleration were further elaborated by a concrete example : "A religious festival, attended by immense crowds, cannot be said to be tolerated, if the Government does not provide a police sufficient to enforce order, and to ensure the safety of individuals during the celebration. And, on the other hand, the providing of such a police is not an act of favour or friendship, but one of simple justice to worshippers."[2] Thus, it clearly declared that beyond this civil protection, the maxims of toleration should not proceed.

According to this principle, the simplest form in which a pilgrim tax could subsist was as an impost levied for the sole purpose of defraying the charges of the extra police employed to protect the pilgrims. But such was not the practice followed at that time. At Jagannath, a large amount of tax was realized and spent for the deity. The Court of Directors observed that, "from being simply conservators of the public peace at certain numerous assemblages of the people, we have become the chief agents in sustaining an idol establishment. In everyway we become parties to the accounts and general management, of the establishment, including the supervision and dis-

[1] PP,HC, 1837, Vol. 43, Court of Directors to Governor-General in Council, Miscellaneous Revenue Department, 20, 1833, No. 3.

[2] *Ibid.*

posal of its revenues." Naturally such association of the Government with the Temple tended to consequences of an injurious kind. The Government appeared before the people of the country "in such intimate connexion with the unhappy and debasing superstitions in question, as almost necessarily to inspire the people with a belief either that we admit the divine origin of those superstitions, or at least that we ascribe to them some peculiar and venerable authority".[1]

Finally, the Court of Directors arrived at certain conclusions which were communicated to the Government of India.

"First, that the interference of British functionaries in the interior management of native temples, in the customs, habits and religious proceedings of their priests and attendants, in the arrangement of their ceremonies, rites and festivals, and generally in the conduct of their interior economy, shall cease.

"Secondly, that the Pilgrim Tax shall everywhere be abolished.

"Thirdly, that fines and offerings shall no longer be considered as sources of revenue by the British Government, and they shall consequently no longer be collected or received by the servants of the East India Company.

"Fourthly, that no servants of the East India Company shall hereafter be engaged in the collection, or management, or custodies of moneys in the nature of fines and offerings, under whatever name they may be known, or in whatever manner obtained, or whether furnished in case or in kind.

"Fifthly, that no servant of the East India Company shall hereafter derive any emolument resulting from the above mentioned or similar sources.

"Sixthly, that in all matters relating to their temples, their worship, their festivals, their religious practices, their ceremonial observances, our native subjects be left entirely to themselves.

"Seventhly, that in every case in which it had been found necessary to form and keep up a police force, specially with a view to the peace and security of the pilgrims or the worship-

[1] PP, HC, 1837, Vol. 43, Court of Directors to Governor-General in Council, Miscellaneous Revenue Department, February 20. 1833, No. 3.

pers, such police shall hereafter be maintained and made available out of the general resources of the country."[1]

However, these general instructions were not intended to be worked out hastily or abruptly but with all caution and circumspection in a manner "neither to offend nor to alarm the people". The Court of Directors intended that their views and intentions should be explained to the natives fully well. The people should be satisfied that far from abandoning the principles of a just toleration, the British Government was resolved to apply tham with more scrupulous accuracy than ever. "In stating to you," said the despatch, "our distinct opinion respecting the abolition, not only of the pilgrim tax, but of the practices to which we have referred as either connected with or bearing a similar construction, we desire to repeat that we are rather holding up a standard to which you are ultimately to conform your policy, then prescribing a rule which you are instantly and without respect of circumstances, to carry into accompalishment. We are sensible that this is one of those subjects respecting which it is peculiarly difficult to give from this country any other than general instructions. As to the details of any measures regarding it, the time, the degree, the manner, the gradations, the precautions, those must in a special sense rest with the local Government."[2]

The Government of India long delayed in taking decisive steps to give effect to those instructions. Four years later on April 3, 1837, the Government of Bengal wrote to the Sadar Board of Revenue that some steps might be taken to sever official connections with the management of Jagannath Temple.[3] When the matter was referred to William Wilkinson, the Collector of Puri, he submitted certain propositions through the Commissioner to the Board for their consideration. He proposed that the landed endowments* of the Temple

[1] PP, HC, 1837, Vol. 43, Court of Directors to Governor-General in Council, Miscellaneous Revenue Department, February 20, 1933, No. 3.

[2] *Ibid.*

[3] JTC, Part II, Commissioner of Cutfack to Sadar Board of Revenue, September 15, 1837.

[4] It was generally known as Satais Hazari Mahal, meaning thereby that it would yield 27 thousand rupees of revenue.

should be brought on the rent-roll of the district and some fixed annual donation should be paid for the support of the Temple. The Raja of Khurda should be vested with full powers in the management of the Temple and its ceremonies.[1]

Henry Ricketts, the Commissioner, did not agree with the views of the Collector. In his opinion, all interference on the part of European officers could be withdrawn without abolition of the tax. The assets of the Temple, he pointed out, was not sufficient to meet its expenses and the deficiency was paid from the pilgrim tax. If tax would be adolished, the deficiency must be paid from the public revenue and he calculated the amount to be Rs. 44,776 per annum. Besides that, the Government must bear the expenses of the pilgrim hospitals at Puri and Cuttack. The Jagannath Road must be kept in good condition for which the necessary expenses must also be borne by the Government. Ricketts did not see the necessity of relinquishing all that was advantageous and retaining all that was disadvantageous in their connexion with Jagannath. He said, "if all interference is mischievous, it must be quite as wrong to give as to receive."[2]

Ricketts believed that the majority of the Hindu population would vote for continuance of the tax. The only problem was to withdraw all interference of European officers in the collection of tax and management of the Temple. The Superintendent of the Temple was willing to release the Government from all obligations if he would be allowed to collect the tax. "All that is desired", Ricketts observed, "would be effected by this arrangement, the Government will neither give nor receive and the temple will depend for support exclusively on the continuance of faith in Hindooism and the virtues of a pilgrimage".[3]

It was desirable that the pilgrims should be protected from extortion and oppression as any other class or community. The Government was bound to see that the demands made were not such as to exclude the mass of the people from admission

[1] JTC, Part II, Wilkinson to Commissioner of Cuttack, July 26, 1837.
[2] *Ibid.* Commissioner of Cuttack to Sadar Board of Revenue, September 15, 1837.
[3] *Ibid.*

to the place of their worship. At the same time, it was not possible to insist in throwing open the gates and admit all to any and every part of the Temple free. "Toleration becomes persecution if carried to the extent of refusing to preserve order to regulate the cess or to protect the devotees and persecution too of the worst description linked with hypocrisy and fraud", said Ricketts. He suggested that the Raja of Khurda should be fully entrusted with the management of the Temple subject to removal by the Government on proof of misconduct.[1]

He proposed the introduction of such a plan with the supposition that the tax would not be any longer collected by the State. But he agreed fully with Wilkinson that it was far better to collect the tax through the agencies of the Government instead of that of the Raja. It might be collected by a Government officer without interfering in any way in the affairs of the Temple. Of course, the matter was left to the Government for final decision. But he warned that the plan of leaving the institution entirely in the hands of the Raja either with or without the tax would not be appreciated by the people. Of course, he did not assign any reason for such apprehension.[2]

The Government did not take any prompt action on the matter. Perhaps the Court of Directors were not eager to see that their instructions of February 20, 1833 carried into effect soon. But the contents of that despatch were well known in India. There were men with strong religious convictions who wanted that the Governmeat should sever all connections with the native temples and abolish the pilgrim tax as early as possible. The question was again raised in the Parliament and John Hobhouse, the President of the Board of Control, was forced to make a declaration on the matter. He told the House of Commons that he would use "the discretion vested in him by the Act of Parliament, to direct such a despatch to be sent to India as would render it impossible for any functionary there to make a mistake."[3] On July 26, 1838, Hobhouse gave

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[1] JTC, Commissioner of Cuttack to Sadar Board of Revenue, September 15, 1837.

[2] *Ibid.*

[3] J.W. Kaye, *Christianity in India*, p. 428.

the pledge to the Parliament and on August 8, 1838 the Court of Directors signed the despatch. They said : "We have again to express our anxious desire that you should accomplish, with as little delay as may be practicable, the arrangements which we believe to be already in progress for abolishing the Pilgrim tax and for discontinuing the connexion of the Government with the management of all funds which may be assigned for the support of the religious institutions in India. We more particularly desire that the management of all temples and other places of religious resort, together with the revenues derived therefrom, be resigned into the hands of the natives ; and that the interference of thepublic authorities in the religious ceremonies of the people, be regulated by the instructions conveyed in our despatch of the 20th February, 1833."[1]

Thus, they wanted the Government of India to take immediate steps for abolition of the pilgrim tax and for severance of the Government connection with the management of the temples. Lord Auckland, the Governor-General of India, took prompt action on the matter. As regards the Temple of Jagannath, it was decided to relinquish the tax on pilgrims fully and continue the yearly donation for its support. It was also decided to hand over to the Raja of Khurda the entire management of the Temple. But the Government wanted to retain the management of the landed endowments of the Temple, the net proceeds from which were to be accounted to the Raja.[2]

ABOLITION OF THE PILGRIM TAX, 1840

On April 20, 1840, the Governor-General in Council passed an Act (Act 10 of 1840) for abolition of the pilgrim taxes. The Act declared to abolish the exaction of all taxes and fees upon pilgrims resorting to Allahabad, Gaya and Puri. It provided to transfer the management of the affairs of Jagannath Temple exclusively to a competent Hindu superintendent, under full responsibility to the established courts of justice for redress of any violence or wrong done to any party. It rescinded all previous regulations on the subject. It enacted that "the superintendence of the Temple of

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1 J.W. Kaye, *Christianity in India*, p. 429.

2 Laurie, *Orissa, the Garden of Superstition and Idolatry*, p. 88.

Juggernaut and its interior economy, the conduct and management of its affairs, and the control over the Priests, officers, and servants attached to the Temple, shall continue vested in the Rajah of Khoordah for the time being." The Act also provided that the Råja and all persons connected with the Temple should on all occasions be guided by the recorded rules or established usage of the Temple.

Moreover, the Raja of Khurda "shall not receive or allow to be received by any person connected with the said Temple, any payment, other than such voluntary donations as may be freely offered, from any person resorting to the said Temple, for the performance of religious ceremonies". Finally, the Act provided that the Raja and priests, officers and servants attached to the Temple should be liable to be sued or prosecuted by any interested party in any civil or criminal court of competent jurisdiction, for any breach of trust committed in the conduct of their duties, or for any extortion or illegal violence exercised upon pilgrims under the authority of the Act. From May 3, 1840, the collection of tax from pilgrims finally ceased in the Temple of Jagannath.[1] Thus ended one significant phase in the British relation with the Temple. The Christian Government no longer played the role of 'Church-warden' of a Hindu deity. The gates of the Temple were thrown open to the pilgrims without payment of any tax. The Raja of Khurda, who had his headquarters at Puri, remained in sole charge of the Temple. The direct responsibilities of the British Government in the administration of the Temple almost ceased.

THE LAST PHASE : 1840-1858

The abolition of pilgrim tax, however, did not sever the British connexion with the Temple of Jagannath. The Government still paid the fixed amount of Rs. 56,342-9-8 to the Raja of Khurda for management of the Temple. The land endowments of the Temple were managed directly by the Government and net proceeds of those lands amounted to about Rs. 17,000 per annum. According to the direction of the Court of Directors, the Sadar Board of Revenue desired that the

[1] JTC, Part II, Collector of Puri to Commissioner of Cuttack, May 6, 1840.

management of those lands should be transferred to the Superintendent of the Temple. At the same time, it was necessary to deduct from the annual donation an amount which, on an average of last 10 years, had been carried to the credit of that donation from profits of those lands.[1] The Government was rather eager to transfer the lands to the Raja of Khurda but they first wanted to safeguard the interests of raiyats or cultivators of the soil. On enquiry it was found that the raiyats and other undertenures of those lands* also wanted to get 'pattas' previous to the transfer of the Mahal to the Suprintendent of the Temple.[2] So the Government ordered that the raiyats should be furnished with 'pattas' by the Collector of Puri before the transfer of the Mahal.[3]

The Commissioner argued that if 'pattas' would be distributed to the raiyats and undertenures, the lands must be first measured and the measurement should be followed by a detailed enquiry into the rights and titles of the intermediate holders and cultivators. The process required some time and expenditure. But the Commissioner of Cuttack recommended that the Mahal should be immediately transferred to the Suprintendent of the Temple as the time for collecting the rents was at hand. He suggested that the Government should take an acknowledgement from the Raja of Khurda to the effect that he would not enhance the rent of raiyats and other undertenures at random. The Sadar Board of Revenue agreed with the views of the Commissioner and requested him to issue orders accordingly.[4] On November 27, 1843, the Collector of Puri informed the Commissioner that the 'Satais Hazari Mahal' had been transferred to the Suprintendent of the Temple, and an engagement had also been taken from him in which he had promised to conform to any arrangement that might subsequently be made with regard

[1] BRP, No. 5 of February 1, 1842, Sadar Board of Revenue to Government of Bengal, January 21, 1842.

* Generally known as Satais Hazari Mahal.

[2] JTC, Part II, Collector of Puri to Commissioner of Cuttack, August 8, 1842.

[3] *Ibid.*, Secretary to Government of India to Secretary to Government of Bengal, May 31, 1843.

[4] BRP, No. 26 of June 6, 1844, Sadar Board of Revenue to Government of Bengal, May 7, 1844.

to the raiyats.[1] The Board was taken to task for not obeying faithfully the order of the Government to grant 'pattas' to the raiyats before the transfer of the Mahal to the Raja of Khurda. It was apprehended that the Raja might not grant 'pattas' to the raiyats and the mere engagement executed by him would not be a proper security against his excessive demands. The Mahal, however, having been actually made over to the Raja, there appeared to be no alternative but to see that the engagement was carried into effect. The Government donation to the Temple for its management was reduced to Rs. 36,178-12-2 pies by the relinquishment of the 'Satais Hazari Mahal.'[2]

Such a big amount of the Government donation from the public treasury for maintenance of the Temple provoked the Christian missionaries to raise a hue and cry once again. They also alleged that forced labour was demanded by the police to drag the Car of Jagannath. The Court of Directors thought it desirable to enquire into the matter. On April 4, 1843, they sent a despatch to the Governor-General in order to ascertain the grounds on which the Government had to pay a large amount of money for maintenance of the Temple. They particularly wanted to know the specific ground on which Lord Auckland based his minute of November 17, 1838 that "Our promise of the allowance for the support of the temple is distinct and unconditional." In that connection it was also necessary to understand the authority under which the established donation for the support of the Temple of Jagannath mentioned in section 30 of the regulation 12 of 1805 was first granted. They further desired to be informed whether 'the trade of the purharees or pilgrim hunters' was sanctioned by the Government. The Court directed the Government to be careful about the matter and sever all connections with the proceedings of those people. As regards the report that the authority of the police was employed in bringing labourers to drag the Car of Jagannath in the festival, it was desired that the authority of the police, on the contrary, might be employed on all occasions in protecting

[1] JTC, Part II, Collector of Puri to Commissioner of Cuttack, November 27, 1843.

[2] BRP, No. 27 of June 6, 1844, Secretary to Government of Bengal to Secretary to Government of India, June 6, 1844.

the labouring classes from any such compulsory service. With reference to the loss of life among the pilgrims, calculated as high as 50,000 yearly by the missionaries, the Government was required to ascertain the truth as correctly as might be practicable from the best informed quarters.[1]

A.J.M. Mills, the Commissioner of Cuttack, was ordered to enquire and submit a report for consideration of the Government. It was evident that some of the allegations were baseless and exaggerated. About the employment of police authority in procuring labourers for dragging the Car of Jagannath, Mills emphatically declared that the allegation was entirely without foundation. Regarding mortality he reported that according to the computation of the Civil Surgeon of Cuttack, the number of deaths among the pilgrims at Puri during the last three years was 484 annually. Of course, the calculation was exclusive of the mortallty at the last 'Rath Jatra' at which about 700 pilgrims died. As regards the 'trade of pilgrim hunters', Mills reported that the Government sanction of it had already ceased with the enforcement of Act 10 of 1840.[2]

On the question of payment of the 'donation' for the management of the Temple, the authorities held different opinions. Mills did not succeed in discovering on what specific grounds Lord Auckland made the statement that the payment of allowance was 'distinct and unconditional'. However, he brought together a variety of evidence to establish the correctness of that statement. His own opinion was that the Government was 'bound in faith and in justice' to pay the established donation for the support of the Temple. Auckland held the views that the British pledge was not to the individual priests but to the Hindu public. In view of the previous policies, it appeared to Mills that the plan advocated by some to discontinue the donation and permit the Raja and priests to collect the usual fees, in lieu thereof, would not only involve

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[1] BRP, No. 2 of March 11, 1844, Offg. Secretary to Govt. of India to Secretary to Government of Bengal, May 24, 1843. Encl, Court of Directors to Governor-General in Council, April 4, 1843, Legislative Department, No. 6.

[2] *Ibid*, No. 9 of March 11, 1844, Commissioner of Cuttack to Sadar Board of Revenue, August 26, 1843.

violation of the pledge which was given to the Hindu public, but also the voluntary contributions would gradually degenerate into a source of exaction and oppression on the pilgrims and would create a feeling of discontent among the Hindu subjects.[1]

Mill's convictions were based mainly on the following grounds. It was the Maratha practice to make good the annual deficiency in the management of the Temple from the State treasury and the practice was continued for some years by the British Government immediately after their occupation of Orissa. The instructions of Lord Wellesley to the Commanding Officer at the time of occupation clearly stated that the established practice of the Temple should be followed. The declaration made by the regulation 12 of 1805 to pay the established donation was binding on the Government. And lastly, the interference and authority exercised by the Government after the acquisition of the Province in the superintendence and management of the Temple and its concerns also established a precedent for continuing the payment of the established donation.[2]

It is interesting that after the most attentive and deliberate consideration of the arguments advanced by Mills, the Board arrived at a conclusion different from that of the Commissioner. They had no hestitation in declaring that they could not find any convincing proof of any pledge by the Government not to discontinue the allowance paid to the Temple. On the contrary, they argued, the allowance had no other origin or character than that of 'a boon gratuitously bestowed and continued.' That being so, the Government payment might fairly and honestly have stopped simultaneously with the abolition of the pilgrim tax.[3]

Besides, there was no political necessity for any pledge at the time of conquest because the conquest of Orissa from the Marathas in 1803 was a very easy undertaking, being rather 'a cession than a conquest' and any pledge, if it was given,

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[1] BRP, No. 9 of March 11, 1844, Commissioner of Cuttack to Sadar Board of Revenue, August 26, 1843.

[2] *Ibid*.

[3] *Ibid*. No. 8 of March 11, 1844, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, October 27, 1843.

must therefore have been altogether 'gratuitous'. After the acquisition of the Province, the Board did not find any pledge given by the Government to continue the payment permanently. They were of opinion that the short passage quoted from the regulation 12 of 1805 by Mills, on which he laid so much stress, was in no way conclusive as to the perpetual nature of payment of the established donation.* It was certain that in 1805 the Government did not intend to discontinue the donation but no pledge was given to continue the Government payment in perpetuity.[1]

Though the allowance was styled as 'an established donation' yet 'an established donation' and 'a donation in perpetuity' were widely different terms, "the former being merely indicative of a boon having been conferred indefinitely as to time and the other marking specifically its duration." On this point the Board held the view that "the whole history of donation from the time of the Moguls to the period 1805 A.D. places it in connexion with the Tax on the Pilgrims." That the words 'established donation' had manifestly reference only to the donation which existed previous to the acquisition of the province by the British Government and that its payment was always defrayed from the tax on pilgrims. The donation and the tax were only 'two ingredients of one and the same system' established by preceding native governments and so it did not originate with or ever confirmed in perpetuity by the British Government. Consequently, the Board concluded that after abolition of the pilgrim tax, the payment for maintenance of the Temple must also be stopped.[2]

The Government of Bengal, after reviewing the initial policy of the Government as regards the administration of Jagannath Temple, came to the conclusion that when the

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* Section 30 of the regulation 12 of 1805 declared, "Provided also that nothing herein contained shall be construed to authorize the resumption of the established donation for the support of the Temple of Jaggernauth".

[1] BRP, No. 8 of March 11, 1844, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, October 27, 1843.

[2] *Ibid.*

British Government undertook to provide funds in the shape of an annual donation for the contingent expenses of the Temple, it was never intended that the said donation should be a charge on the general revenues of the country. It was paid only with the understanding that the State was to be reimbursed by the revival of the pilgrim tax. Therefore, it was decided that when by the Act 10 of 1840 the Government abolished the tax and handed over to the Raja of Khurda and priests entire management of the Temple, at that time itself it might have been in perfect fairness and propriety to stop the payment of the annual donation.[1]

But the matter was somewhat complicated at that stage. Auckland had taken a different view of the problem and had considered that the Government was pledged for continuance of the donation. He believed that the pledge could not be got rid of without a breach of public faith. That was the reason why the donation had continued even after abolition of the pilgrim tax in 1840. The main difficulty for taking a different decision on the matter, the Government found, was the precedent established by payment of the donation since 1840. However, the Government was determined to stop the donation to the Temple. It was, of course, decided that it might be possible to convert the money donation into land and thus to get rid of the connecting ties with the institution and its officers.[2]

The Court of Directors in their despatch to the Government of India on December 18, 1844 agreed with the views of the Government of Bengal to commute the allowance by restoring any land of equal value which might formerly have belonged to the Temple. They enjoined the Government of India to take necessary steps for carrying the arrangement into effect. They also wanted that the lands might be left exclusively in the hands of the officers of the Temple, and thus the Government interference with the affairs of the Temple might be finally ended.[3] But on enquiry, it was

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[1] *Ibid.*, No. 12 of March 11, 1844, Secretary to Government of Bengal to Secretary to Government of India, March 11, 1844.

[2] *Ibid.*

[3] Laurie, *Orissa, the Garden of Superstition and Idolatry*, p. 92.

found that with the exception of Satais Hazari Mahal, there was no land which had been set aside for the use of the Temple. So the Commissioner of Cuttack suggested that in order to complete the discontinuance of the Government connection with the Temple, land revenue of an equal value of the allowance should be assigned to it, or estates should be purchased and bestowed upon the Temple. The Board of Revenue, however, did not concur with the recommendation of the Commissioner and they advised the Government to abolish the allowance or donation to the Temple in perpetuity without any compensation.[1]

The Government of India, after proper consideration of the facts, thought that the most reasonable course would be to place the endownments of the Temple as nearly as possible on the same footing as the British Government found them on the acquisition of the Province and discontinue the payment of any sum in excess of the funds which existed by that time. The resources of the Temple at the time of the occupation of Orissa was found out from the report of Charles Groeme, the first British Officer who presented a detailed accounts of the endowments and other concerns of Jagannath in 1805. It was decided from that report that there would be little room for complaint by the withdrawal of the present payment and the restoration of the former funds of the Temple.[2]

But it was not possible to restore the former funds of the Temple as some of them had been either abolished or appropriated by the State. Only some amount of revenue, which the Suprintendent of the Temple derived from the sale of 'holy food' and collection of certain fees, could be deducted from the annual donation to the Temple. After such deduction the amount of annual donation was fixed at Rs. 23,321 by the close of the year 1845. For four years it continued as such without any further discussion. On February 27, 1850, thè Court of Directors in their despatch to the Government of India suggested for further enquiry into the matter. They

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1 BRP, No. 16 of August 13, 1845, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, July 29, 1845.

2 *Ibid.* No. 5 of September 17, 1845, Under Secretary to Government of India to Under Secretary to Government of Bengal, September 6, 1845.

pointed out that the Commissioner of Cuttack in his report of August 26, 1843 observed that "the abolition of the tax has without doubt added to the number of pilgrims", and it was stated by the first Commissioner sent to Cuttack that "the offerings given within the walls of the Temple by the pilgrims to the priests and officers of Jaggernath are exclusively for the expenses of the Temple." In these circumstances they thought it proper that an enquiry should be instituted to ascertain whether in consideration of the revenue drived by the Temple from its various sources, the annual donation to the Suprintendent could be discontinued.[1]

When the matter was enquired into by the Commissioner of Cuttack, he could not find any means to know that the income of the Temple had increased. The statements of the local authorities regarding certain supposed sources of income were vague and unsatisfactory.[2] In this connection, the Collector of Puri reported that there were no less than 257 'mathas' in the town of Puri and the income derived from the lands attached to them was about 1 to 2 lakhs of rupees per annum. The 'pandas' and other priests of the Temple also held lands from which they derived considerable income. A part of those lands, the Collecter found out, belonged to the endowments of Jagannath. So it was suggested by the Commissioner that those lands could be taxed rateably so as to furnish the required annual sum of Rs. 23,321 which was paid as the donation. He had no doubt that if the Government donation were to be withdrawn and the Temple left to its own resources, the deficiency in the receipts would readily be supplied by those who derived all their wealth from their connexion with the institution, which if suffered to fall to the ground would involve them in its ruin.[3]

In the meantime, a memorial was submitted to the Court of Directors by the Protestant missionaries of London Missionary Society and Free Church of Scotland about the annual pecuniary grant from the Government treasury to the Temple of

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1 PP,HC, 1850, Vol. 41, Court of Directors to Governor-General in Council, February 27, 1850.

2 BRP, No. 5 of January 2. 1851, Secretary to Sadar Board of Revenue to Secretary to Government of Bengal, December 17, 1850.

3 *Ibid.*

Jagannath.[1] They complained against the pernicious effect of the Government donation in impeding and too frequently rendering unavailing their endeavours to rescue the people from the 'course of idolatry'. The people believed, so they said, that not only that the British Government acknowledged the divinity of Jagannath, but also it was most anxious to see that the worship of the deity should be celebrated on a magnificent scale. The 'pandas' and other priests of Jagannath rebuked the missionaries publicly and represented them to the people as factions opposed to the Government. The priests further drew the attention of the people to the large amount of annual donation of the Government as "an unanswerable proof" of its approval of their religious system.[2]

The memorial described how a large number of pilgrims annually resorted to the shrine. At the Car Festival alone, which attracted nearly one-third of the whole, it varied from 80,000 to 2,00,000 and that nearly one-tenth of the number annually perished. The memorialists held that "while Suttee numbered its hundreds Juggernath, in a more protracted form, stays his thousands of human victims." They appealed to the Court of Directors to check these great evils as far as they were under their control and discontinue altogether the pecuniary support to the Temple.[3]

The Court of Directors in their letter to the Government of India on May 5, 1852 expressed the opinion that it was desirable finally to dissociate the British Government from all connection with the Temple. They authorized the Government to make arrangements for accomplishing the object by the discontinuance of periodical allowance and in lieu of that, some final payment might be made in the way of compensation.[4]

On January 13, 1854, the Government of India directed the Government of Bengal to report the exact position of the Raja

[1] BRP, No. 43 of May 29, 1850, Memorialists to Secretary to Government of Bengal, April 23, 1850. The Memorial was signed on March 19, 1850 by the missionaries and submitted on April 23, 1850 to the Govt. of Bengal for forwarding it to England.

[2] *Ibid.*

[3] *Ibid.*

[4] PP,HC, 1852-53, Vol. 69, Court of Directors to Government of India, May 5, 1852.

of Khurda, the Superintendent of the Temple, with respect to his former estates and their management in order to settle the payment of annual donation to the Temple with him.[1] The Board of Revenue which enquired into the matter found out that the Raja of Khurda was in possession of only two estates. One was the Taluk Delang with a sadar 'jama' of Rs. 33,870-13-4 pies which, after 28 years of Khas management in consequence of his failure to meet the engagements, was resettled with him in 1845. The other estate was the 'Satais Hazari Mahal', the endowment of the Temple of Jagannath, which was given to the Raja in 1843 when the grant to the Temple was reduced by Rs. 17,001-10-8 pies per annum. Two other estates, Khurda and Panchgarh, which formerly belonged to the Raja but were taken away from him in 1805, had never since been restored to him. The estates were directly managed by the local revenue authorities and only a personal allowance, which originally amounted to Rs. 12.000 but was subsequently raised to Rs. 25,600, was paid to the Raja.[2]

On February 28, 1856, the Governor-General in Council requested the Lieutenant-Governor of Bengal to take immediate steps to discontinue the payment of Rs. 23,321, which was annually paid to the Temple, with effect from May 1, 1856. In lieu thereof he was directed to purchase lands in the district of Puri yielding an annual net profit of not less than Rs. 16,517 for handing over to the Superintendent of the Temple. The sum of Rs. 6,804, the difference between the annual donation and the proposed compensation, was to be appropriated for the maintenance of an adequate police force to keep peace and order in the precincts of the Temple.[3]

The Commissioner of Cuttack recommended that lands from Khurda estate would be suitable for the purpose. As the estate was under resettlement, he advised that the money payment should be continued for one year more or until May 1, 1857 by

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1 BRP, No. 1 of February 9, 1854, Secretary to Government of India to Secretary of Bengal, January 13, 1854.

2 *Ibid.*, No. 6 of May 4, 1854, Secretary to the Board of Revenue to Secretary to Government of Bengal, April 18, 1854.

3 *Ibid.*, No. 2 of May 1, 1856, Secretary to Government of India to Secretary to Government of Bengal, February 28, 1856.

which time the settlement might be completed.[1] The Governor-General in Council approved of the proposal.[2] Finally, after the settlement was over, Tapang with 3 villages from Rameswar, which formed a compact tenure, was transferred to the Superintendent of the Temple with effect from October 5, 1857.[3] With this transfer, all payments by Government to the Temple of Jagannath finally ceased, except for the payment of Rs. 6,804 for the maintenance of a police force. Thus, the Government succeeded in dissociating itself with the 'idolatrous worship' in the Temple.

The maintenance of a police force and deduction of the charges from the previous allowance of the Temple was highly resented by the Raja of Khurda who petitioned to the Government of India for reconsideration of the matter. He pointed out that there were about 4000 men who were the hereditary officers of the Temple to assist the pilgrims in discharging their religious ceremonies. They were remunerated from the offerings made to the deity and also had other perquisites of their office. The Raja argued that it was not desirable to entertain any other class of persons for the protection of the pilgrims within the Temple. The employment of a permanent body of police in the Temple would revive the interference of the Government in its affairs from which it had dissociated itself. He pleaded that the police force be withdrawn from the Temple and the amount spent for their maintenance be paid to him.[4]

The Court of Directors itself felt that to maintain a police force inside the Temple was inconsistent with the Government policy of complete dissociation. Therefore, they wanted that the Superintendent should be responsible for the repression of crime and outrage inside the Temple. The Government was directed to take cognizance of the cases of criminal offence and serious disturbances which might occur inside as well as

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1 BRP, No. 6 of May 1, 1856, Secretary to Board of Revenue to Secretary to Government of Bengal, April 15, 1856.

2 *Ibid.*, No. 1 of May 22, 1856, Under Secretary to Government of India to Secretary to Government of Bengal, May 9, 1856.

3 *Ibid.*, No. 17 of November 5, 1857, Secretary to Government of Bengal to Secretary to Board of Revenue, October 30, 1857.

4 *Ibid.*, No. 30 of April 22, 1858, Under Secretary to Government of India to Secretary to Government of Bengal, July 24, 1857.

outside its precincts.[1]

The Government decided to maintain a small police force for emergency duties in the Temple at the cost of Rs. 2,782 and the amount was to be charged from the Temple funds. The rest of the amount, which was kept from the annual donation to the Temple for the maintenance of a police force, was returned to the Superintendent in the shape of lands.[2] Thus by the end of 1858, the Government had almost fully severed direct connections with the Temple of Jagannath. The last link which still remained by the maintenance of a small police force from the Temple funds was cut off in 1863 by the transfer of some more villages to the Superintendent of the Temple.[3]

The administration of Jagannath Temple reflected a very significant part of the religious policy of the East India Company in India. In the initial phase they boldly continued to maintain the tradition of the former Government and upheld the prevalent system. It is interesting to note that the Christian Government did not hesitate to become the 'Churchwarden' of a Hindu deity. Such a policy was deliberately followed to conciliate the Hindu public opinion. But in course of time, the policy of toleration was modified, and the Temple was left to be managed by its hereditary Superintendent. The end of the East India Company's rule in India synchronised with the severance of direct connection of the Government in the management of the Temple of Jagannath.

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[1] BRP, No., 40 of April 22, 1858, Court of Directors to Governor-General in Council, Public Department, February 3, 1858, No. 12.

[2] *Ibid.*, No. 25 of September 23, 1858, Secretary to Government of Bengal to Commissioner of Cuttack, September 6, 1858.

[3] Survey and Settlement Report, Vol. I, p. 427.

8 Administrative Relation with the Tributary Mahals

Orissa during the Maratha rule possessed two distinct political divisions, Mughalbandi and Garjats. The Garjats comprised the hilly regions in the north and north-western part of Orissa which were ruled by local chieftains. They paid fixed annual tributes to the Maratha Government and the latter generally did not interfere in their internal administration.[1]

The boundaries of those united possessions, Mughalbandi and Garjats, which were known as Orissa proper to the British administrators in the 19th century were to the east, the sea; to the west, the Maratha province of Chhatisgarh; to the south, the Chilka lake and the Ganjam district; and to the north, the districts of Midnapore and Birbhum.[2] The Garjats, ruled by tributary chieftains, were known as the Tributary Mahals to the early British administrators.

EARLY RELATION WITH THE TRIBUTARY MAHALS, 1803-1814

The British army occupied Cuttack and the fort of Barabati, the seat of the central authority of the Marathas in Orissa, on October 14, 1803. Immediately thereafter 'the Commissioners for the affairs of Cuttack,' George Harcourt and John Melville, opened negotiation with the chiefs of Garjats, inducing them to acknowledge the British authority. Treaty engagements were exchanged with as many as eleven states within a very short period.[3] By those engagements, the

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[1] SNRR, Vol. 1. pp. 36-8, Commissioners of Cuttack to Major General Wellesley, January 19, 1804.

[2] *Ibid.*

[3] C.U. Aitchison, *A Collection of Treaties, Engagements, and Sunnuds, relating to India and neighbouring Countries*, Vol. I, pp. 188-90. These 11 states were Narsinghpur, Athaghar, Baramba, Talcher, Tigirea, Hindol, Khandapara, Dhenkanal, Ranpur, Nayagarh & Nilgiri.

chiefs professed perpetual friendship with and loyalty to the East India Company and agreed to pay to the Company's Government fixed annual tributes in specified instalments. On behalf of the East India Company, George Harcourt and John Melville exchanged counter-engagements with those chiefs, by which they acknowledged the annual tribute, payable by the chiefs, as fixed in perpetuity and also assured that no further demand, however small, should be made on them.[1]

On November 14, 1803, Harcourt received information from Major Forbes, then commanding a detachment of British troops at Barmul Pass, that Vakils had arrived in his camp from Baud and Ramghar to acknowledge the British authority. On November 17, a vakil also reached Major Forbes from Sonepur with an application on behalf of the Raja of Banai, the Raja being in confinement at Nagpur, for similar purposes. Major Forbes told them that he would acquaint the chief authority in Cuttack with their offers of obedience and that they should wait till he received explicit orders from Cuttack. In the meanwhile the despatches from Major Broughton, on January 3, 1804, announced the conquest of Sambalpur, and the submission of Sonepur to the British detachment under his command.[2]

But shortly after that, on January 14, 1804, the official information of the conclusion of peace with Raghuji Bhonsla, the Raja of Nagpur, was received at Cuttack. On behalf of the East India Company Major-General Wellesley had signed the peace treaty with the agent of Raghuji Bhonsla at Deogaon on December 17, 1803. The Treaty was ratified by the Governor-General in Council on January 9, 1804.[3] According to the second article of the Treaty, Raghuji Bhonsla ceded to the East India Company "in perpetual sovereignty, the province of Cuttack, including the Port and District of Balasore." The tenth article of the Treaty stated that "certain Treaties have been made by the British Government with

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[1] C.U. Aitchison, *A Collection of Treaties, Engagement, and Sunnunds relating to India and neighbouring Countries*, Vol. I, pp. 188-90.

[2] SNRR, Vol. I, p. 38, G. Harcourt and J. Melville to Major-General Wellesley, January 19, 1804.

[3] C.U. Aitchison, *A Collection of Treaties, Engagements, and Sunnunds relating to India and neighbouring countries*, Vol. III, pp. 97-9.

feudatories of Senah Saheb Soubah.* These Treaties are to be confirmed."[1] This provision was a shrewd device to regularise the engagements which the Commissioners 'for the affairs of Cuttack' and Major Broughton had entered with the tributary chiefs who had submitted to the British authority.

But Raghuji Bhonsla was not at all prepared to surrender those territories to the British control. Though the Governor-General was anxious to safeguard the interests of the Raja, yet on the indispensable grounds of maintaining the obligations of public faith, he did not like to violate the arrangements made by Broughton. Broughton also pointed out to the Government that "the Zamindars from long and painful experience, have acquired so thorough distrust in and bitter aversion to the Marhatta Government that no appearances, however plausible, or assurances, however sincere would again induce them to place confidence in or be reconciled to, their former sovereign."[2] His views were corroborated by the application of the Queen and principal 'zamindars' of Sambalpur to him in which they categorically denied any intention to return to the control of the Raja of Nagpur and wished sincerely to remain under the British protection. They were even willing to pay any amount of revenue to be fixed by the British Government.[3] Broughton's attempt to induce them to return to the control of Raghuji Bhonsla, the Raja of Nagpur, was of no avail.[4]

Consequently, the Governor-General in Council determined to keep those territories under the British protection and directed Elphinstone, the Resident at Nagpur, to explain the position to Raghuji Bhonsla. At the same time they wanted it to be conveyed to the Bhonsla Raja that "the British Government is disposed not only to guarantee to His High-

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* The title of the Raja of Nagpur.

[1] C.U. Aitchison, *A Collection of Treaties, Engagements, and Sunnunds, relating to India and neighbouring Countries*, Vol. III, pp. 97-9.

[2] SNRR, Vol. 1, p. 52, E.S. Broughton to John Lunsden, Chief Secretary to Government, February 18, 1804.

[3] *Ibid.*, pp. 54-8, Broughton to Government, April 2, 1804. The signatories in the application were the Queen of Sambalpur and Chiefs of Raigarh, Sarangarh, Sonepur, Redakole, Gangpur, Bamra, Banai, Bargarh and Sakti.

[4] *Ibid.*

ness the annual receipt of the full amount of Revenue or Tribute which he derived from the Chieftains and territories in question, but even to compensate by any practicable means for this unavoidable reduction to the extent of his dominions."[1] They argued that to give up those territories would constitute "a violation of our public faith." Besides that consideration, there was another factor of political expediency which weighed in their mind to force the demands on Raghuji Bhonsla. On March 24, 1804, George Harcourt wrote to Elphinstone that Baud and Sonepur were very important possesrions as regards the security of Cuttack and also for the facility of commerce in the newly acquired territories. By the possession of Baud and Sonepur, the British Government would command the navigable part of river Mahanadi and that would greatly facilitate the transit of goods from Chattisgarh region. So also the possession of Sambalpur was desirable, as Harcourt pointed out, "more on political grounds than on any other." Because, it would greatly enhance the security of the British possession of Cuttack.[2]

On the other hand, Raghuji Bhonsla did not like to recognize and ratify formally those possessions of the British as a part of the tenth article of the Treaty of Deogaon. He wanted to evade the matter and delay it as long as possible. But it was not possible for him to play with a man like Lord Wellesley, the Governor-General. On May 18, 1804, the Governor-General directed Elphinstone to inform Raghuji that if he would not ratify the Treaty within 24 hours, the British Government would again declare war against him.[3] The ultimatum worked and thus was Raghuji compelled to surrender Baud, Sonepur, Patna and Sambalpur to the British control.

But soon the tide took a different turn. Wellesley's policy of war and expansion was not appreciated in England, and he was recalled. By the express desire of the home authorities, his immediate successors had to play the role of peace-makers. G.H. Barlow, the Governor-General, restored the territories of Sambalpur and Patna with the exception of the territory

[1] SNRR, Vol. I. p. 42, Government to Elphinstone, March 4, 1804.
[2] *Ibid.*, pp. 52-3. George Harcourt to Elphinstone, March 24, 1804.
[3] *Ibid.*, pp. 58-60, Government to Elphinstone, May 18, 1804.

of Raigarh to Raghuji in 1806.[1] These territories did not come under the jurisdiction of Orissa during the 19th century.

However, according to the tenth article of the Treaty of Deogaon, Raghuji had to give up some of his feudatory states which were administered from Cuttack. It had already been noted that eleven tributary chiefs had entered into definite engagements with the British shortly after their occupation of Cuttack. Within a little more than a year, similar treaties were concluded with the chiefs of Keonjhar, Banki, Angul & Dashpalla.[2] By the regulation 12 of 1805, passed on September 5, 1805, those fifteen Tributary Mahals were exempted from the operation of the British laws and regulations. The regulation also exempted the territory of Mayurbhanj from the operation of the British laws and regulations like other Tributary Mahals. It was left to the Collector of Cuttack to conclude a settlement with the chief of Mayurbhanj on the principles accepted by other chiefs.[3]

The annual tribute from Mayurbhanj could not be fixed easily as Rani Sumitra Devi claimed not only exemption from the tribute, but demanded a considerable amount from the British Government as compensation for the loss of revenue which she had sustained from postponement of collection of tax from the pilgrims to Jagannath, who passed through her territories. After the death of Rani Sumitra Devi, the problem was finally settled by a thorough investigation into the matter in 1812. Tribikram Bhanj was recognized by the British as the ruler of Mayurbhanj and the annual tribute, payable by him to the British, was fixed at Rs. 1001 on condition that he would relinquish all claims to compensation for the privilege enjoyed by his predecessors from levying a duty on the pilgrims to Jagannath.[4]

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[1] C.U. Aitchison, *A Collection of Treaties, Engagement, & Sunnunds etc.*, Vol. III, pp. 99-101.

[2] *Ibid.*, Vol. I, pp. 186-92.

[3] BJ(C)P, No. 32 of September 5, 1805, Regulation 12 of 1805.

[4] Selections from Official letters and Records relating to the History of Mayurbhanj, Vol. I, p. 302, Government to Board of Revenue, March 3, 1812.

Finally, those hilly tracts, occupied by a so-called 'rude and uncivilized race of people', emerged as a separate entity under the formal control and supervision of the British authorities at Cuttack. They were commonly known as the Garjats or Tributary Mahals. They paid only fixed annual tributes to the British Government. The peculiar nature of the territories and the people forbade, as the British authorities observed, the extension of the British laws and regulations to those sixteen Tributary Mahals.* It was a matter of political sagacity and administrative expediency that led to the special arrangement for those Mahals. In those early days of the British expansion in India, direct extension of sovereignty was not always a desideratum and hence the special arrangement. The chiefs of those Tributary Mahals enjoyed full freedom in their internal administration, but not as sovereigns with absolute rights but as subordinate allies under the supreme authority of the British. By the treaties exchanged with them, they were bound to regard the enemies of the East India Company as their enemies and not to allow any troops of the enemies of the Company to pass through their territories. The Judge-cum-Magistrate of Cuttack remained in formal charge of those Tributary Mahals by the regulation 14 of 1805.[1]

In 1807 Robert Ker, the Judge and Magistrate of Cuttack. raised the question of extension of the British regulations to the Tributary Mahals which was rejected by the Sadar Diwani Adalat as unnecessary.[2] The Court observed that the chiefs of the Tributary Mahals had agreed to pay to the British Government their annual tribute regularly in three instalments. They had also agreed to seize and send any inhabitant of the territories of British Government who would abscond to take resort within the boundaries of their Mahals. If any raiyat of their territories would commit any crime within the

* The sixteen Tributary Mahals were as follows — (1) Mayurbhanj, (2) Keonjhar, (3) Nilgiri, (4) Banki, (5) Dashpalla, (6) Narasinghpur, (7) Angul, (8) Talcher, (9) Athaghar, (10) Khandpara, (11) Nayagarh, (12) Ranpur, (13) Hindol (14) Tigirea, (15) Baramba and (16) Dhenkanal.

[1] BJ (C)P, No. 34 of September 5, 1805, Regulation 14 of 1805.

[2] *Ibid.*, No, 18 of February 26, 1807, Register of Sadar Diwani Adalat to Government, February 14, 1807.

territories of the British Government, they would surrender such delinquents to the British authorities. If a raiyat of the British Government committed any crime in their territories, they would inform the British authorities to take necessary steps. Thus, a definite administrative relationship had already been established with the Tributary Mahals. The Governor-General in Council concurred with the Sadar Diwani Adalat that the relationship established with 'the Hill Rajahs' would, for the present, render the extension of the British laws and regulations to their territories unnecessary.[1]

Though the British regulations were not introduced into the Tributary Mahals and the avowed policy of the Government was non-interference in their internal administration, yet at times the Government took decisive action to preserve peace and tranquillity in those territories. In 1812 troubles arose over the question of succession in Angul. Jaraor Singh's brother Jay Singh became the Raja of Angul after the death of the former in 1811. Only a few months after, he was murdered by one of his brothers, Prithvi Singh. The latter took possession of Angul but subsequently his right of succession was challenged by Lokanath Singh, an illegitimate son of Jaraor Singh. He appealed to the Government to consider his case and accused Prithvi Singh of the murder of his father.[2] The Government appointed John Richardson, the Settlement Commissioner and J. Sage, the acting Judge and Magistrate of Cuttack, as the members of a Commission to investigate into the matter. Richardson and Sage recommended for the attachment of the Mahal as Prithvi Singh did not appear before the Commission to clear himself off the charges of murder and to prove his right of succession. The Governor-General in Council ordered that if Prithvi Singh did not attend their Court within a specified period, all the rights, title and interets which he might possess in Angul should be confiscated by the Government.[3]

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[1] BJ(C)P, No. 19 of February 26, 1807, Order of Governor-General in Council, February 26, 1807.

[2] BRP, No. 29 of March 18, 1815, Richardson to Government, December 20, 1814.

[3] BJ(C)P, No. 26 of September 18, 1813, Government to Richardson and Sage, September 18, 1813.

Prithvi Singh did not make his appearance before the Commission in the specified time, and hence the Government passed an order for confiscation of the Mahal. To make the example impressive and instructive to others, 'parwanas' were circulated to all the Garjat Rajas informing them of the circumstances leading to the confiscation of the Mahal. Also for the purpose of full publicity and effect, a copy of the order was put up at the office of every police darogah throughout the British possessions in Orissa.[1] The Governor-General in Council confirmed the orders passed by the Commission and also approved of the proceedings for giving the orders due publicity.[2] However, by a subsequent decision, the confiseation order was withdrawn and Somanath Singh, a fourteen year-old boy of the royal family, was put in possession of Angul. The Government appointed a guardian to collect the revenues and manage the judicial and police affairs of the Mahal until the Raja reached the age to take personal control.[3]

There was also some dispute in Dhenkanal over the question of succession and the Government intervened to settle the matter in 1814. Subsequently in that very year, the Government received information regarding atrocious crimes committed by the chiefs of Dhenkanal and Mayurbhanj and the Magistrate of Cuttack was directed to take cognizance of those cases. But due to the lack of evidence, the chiefs were acquitted though the Government suspected that they had been party to the alleged crimes. The Raja of Dhenkanal was afterwards fined for inflicting injuries on some of his subjects.[4]

Such circumstances led Lord Moira, the Governor-General, to make special arrangement for the management of the Tributary Mahals of Orissa. He established the office of the 'Superintendent of the Tributary Mahals' for proper supervision and management of the Mahals. It was thought that substantial advan-

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[1] BJ(Cr)P, No. 41 of January 15, 1814, Judge and Magistrate of Cuttack to Secretary to Government, January 7, 1814.

[2] *Ibid.*, No. 50 of January 15, 1814, Secretary to Government to Judge and Magistrate of Cuttack, January 15, 1814.

[3] *Ibid.*, No. 34 of January 3, 1815, Secretary to Government to Superintendent of Tributary Mahals, January 3, 1815.

[4] BRP, No. 43 of October 18, 1814, Government to Richardson, October 18, 1814.

tage might be derived from subjecting the Rajas in particular and the people in general to the control of an officer, who unfettered by any precise rules, might serve as a useful check on their misconduct. It was also desired that by obtaining a more accurate knowledge of the territories the foundation of an improved system of administration would be laid down in those places.[1] The Superintendent was directed to endeavour "to establish such a control over the conduct of the Zamindars as may prevent the commission of crimes and outrages."[2] The Judge-cum-Magistrate of Cuttack was entrusted with the duties of the Superintendent with an allowance of Rs. 500 per month. Edward Impey became the first incumbent of the new office in 1814.

A period of non-interferene, 1814-1839

With the creation of a new office of the Superintendent of Tributary Mahals, the Garjat areas were brought under closer supervision than before. The local authorities repeatedly suggested for the introduction of the British laws and regulations into the Mahals, but the Government strictly adhered to the policy of non-interference in their internal administration.

A few months after assuming the charge of the Tributary Mahals, Impey suggested to the Government to introduce the Bengal regulations into those territories. He advocated such a policy not only for the benefit of the Government but also "to civilize the inhabitants" of those region. He also wanted that the Superintendent should be empowered to collect the annual tributes from those Mahals in place of the Collector of Cuttack.[3] The Government replied that the nature of the country and the character of the people were not at all suited for the introduction of the British laws. It was feared that it might lead to internal disturbances. However, the Government wanted that minute information should be furnished

[1] Letters to the Court, Judicial Department, Vol. 4, Governor-General in Council to the Court of Directors, November 29, 1814.

[2] BJ(Cr)P, No. 33 of December 5, 1839, HenryRicketts to Government, January 21, 1839.

[3] *Ibid.*, No. 29 of July 26, 1814, Superintendent of Tributary Mahals to Government, July 6, 1814.

before taking any final decision on the proposal. As regards the collection of tributes from those Mahals, the Government thought it inexpedient to take that power out of hands of the Collector and put it in hands of the Superintendent.[1]

John Richardson, the Settlement Commissioner in Orissa, submitted a report on the Tributary Mahals on December 20, 1814 in which he expressed strong views regarding the internal administration of the Mahals.[2] "There is great reason to believe" he observed, "that the chiefs in question are guilty of great excesses, where exempt from the influence of the British laws". Yet he objected to the introduction of the police laws into those regions, saying : "the extension of the laws and regulations, to the tributary Mahals in Cuttack......more especially the Police Laws, I think would be very inexpedient, and productive of, not only much expense, but of great evil, for many reasons." The arguments were that as the revenues on those Mahals were fixed, the Government would incur much expense by the establishment of a police system. Even if "the human liberality of the British Government might be willing to incur an additional expense, to establish good order, and promote civilization and happiness, amongst its subjects", yet there were reasons to believe that the establishment of police darogahs, "would only give rise to a different sort of tyranny and oppression, perhaps, more galling to the inhabitants of the territories in question. than that of their ancient despotic Government". "Every Darogah", said Richardson, "at such a distance, amongst a people so ill-informed, and so little acquainted with the nature of our laws and system, would become a petty tyrant and domineer, not only over the chief himself, and the principal inhabitants, but harrass and oppress the people at large". On the other hand, to leave all powers in the hands of those chiefs was, to him, "highly objectionable, and loudly forbidden by humanity and good policy".[3]

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1 BJ(Cr)P, No. 30 of July 26, 1814, Government to Superintendent of Tributary Mahals, July 26, 1814.

2 BRP, No. 29 of March 18, 1815, Richardson to Government, December 20, 1814.

3 *Ibid.*

Richardson did not suggest any new plan for the administration of the Tributary Mahals. But in the meanwhile, Impey, the Superintendent, had proposed again that criminal regulations should be introduced in the Mahals to provide for the legal investigation and trial of cases of 'heinous nature'. He, of course, did not recommend the appointment of any police darogah and wanted to leave the police exclusively in the jurisdiction of the Rajas. He was fully convinced that no opposition to the introduction of the regulations would be made by the Rajas.[1] But the Government held their former views and observed that "the ignorance and prejudices of the proprietors of the some of the Tributary Mahals might induce them to oppose the introduction of the Regulations, and to resist all such orders of the court as they might conceive to be discreditable to their personal rank, or calculated to weaken their influence and authority in their respective Estates, and it could not be expected that such resistance would, in every instance, be subdued without the employment of Military Force".[2]

Impey contradicted the views of the Government and declared that no general dissatisfaction was expected and no military force would be required to enforce the introduction of criminal regulations. He suggested that if it was not desirable to introduce the criminal regulations, the object might be attained by passing a regulation that henceforward all criminal cases would be investigated and decided by the Superintendent.[3] The draft of such a regulation, sent by the Superintendent, was approved by the Court of Nizamat Adalat. But the third judge of the Court recorded a minute expressing his doubts whether the country was prepared for such a change. The Government agreed with his views, and consequently, the introduction of criminal law into the Tributary Mahals was abandoned.

Subsequently, however, the regulation 11 of 1816, which

[1] BJ(Cr)P, No. 72 of March 14, 1815, Superintendent of Tributary Mahals to Government, December 31, 1814.

[2] *Ibid.*, No. 33 of December, 5, 1839, Henry Ricketts to Government, January 21, 1839.

[3] *Ibid.*, No. 73 of March 14, 1815, Superintendent of Tributary Mahals to Government, March 3, 1815.

contained rules for the conduct of suits and claims to the rights of succession in the Mahals, was passed.[1] All claims to the right of inheritance or succession to any of those Mahals were to be heard, tried and determined in the first instance by the Superintendent. In deciding such cases, he should be generally guided by the established laws and usages of the respective Mahals. But in no case a Mahal should be liable to be divided according to the Hindu Law, but should descend entirely to the person who possessed the most substantial claim according to local and family usage. In all suits decided and orders passed by the Superintendent under the above-noted regulation, an appeal could be made to the Sadar Diwani Adalat within three months of the decision.[2]

On June 21, 1816, the Government gave some explicit direction to the Superintendent regarding the management of the Mahals. It was stated : "The office of Superintendent was constituted expressly to supply, in a certain degree, the want of more regular Establishments. It is not the object of Government to weaken the influence of the Rajahs of the Tributary Mahals over their peasantry, and still less to interfere in the details or usages of the country". The Superintendent was advised that "You should adopt such prudent and proper measures as may tend to prevent the commission of acts of violence and outrage by the interposition of your influence, and by encouraging amicable adjustment of disputes when circumstances will admit of an interference of that nature." The Government rather warned the Superintendent that, "were the duties of your office really incapable of being conducted on the principles above stated, it would follow that the office itself was useless and might consequently be abolished".[3] Thus the management of the Mahals was left entirely to the Rajas, controlled by the undefined authority of the Superintendent.

During the Paik Rebellion in 1817, the Tributary Mahals

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[1] BJ(Cr)P,No. 33 of December 5, 1839, Henry Ricketts to Government, January 21, 1839.

[2] J.H. Harrington, *An Analysis of the Laws and Regulations, etc.*, Vol. I, pp. 190-2.

[3] BJ(Cr)P, No. 33 of December 5, 1839, Henry Ricketts to Government, January 21, 1839.

remained quiet. The Rajas did not think it wise to challenge the authority of the British. Thirteen years of British rule had cooled their temper, and they had been wooed fully to the British side.

After the Paik Rebellion, a new office of 'the Commissioner in Cuttack' was established by the regulation 5 of 1818 for better administration of Orissa. The Commissioner was entrusted with the duties of the Superintendent of Tributary Mahals which was so far exercised by the Judge-cum-Magistrate of Cuttack.[1]

ADMINISTRATION OF ROBERT KER, 1818-1819

Robert Ker, the first Commissioner under the new regulation, took keen interest in the affairs of the Mahals. He immediately discontinued the submission of the monthly statements of crimes and offences in the Tributary Mahals by their respective Rajas. The system had been introduced by Edward Impey, the first Superintendent. Ker found from the records in his office that the statements, sent by the Rajas, were invariably blank although it was known that serious offences occurred in the Mahals. It was said that the statements were prepared for the purpose in 'the Cuttack bazar' without any reference to the actual state of things, and therefore were utterly useless. Ker stopped the practice because he did not like to uphold 'a system of deception.' But at the same time, he strictly enjoined the Rajas to report to him the occurrences of serious criminal offences in their territories.[2]

Ker also discontinued to take action on any application from the inhabitants of Mughalbandi for recovery of debts due to them from the chiefs of Tributary Mahals. In such cases he dismissed the applications on the ground that the regulations relative to suits for recovery of debts did not extend to those Mahals, and so he had no jurisdiction over them in such matters.[3]

Before Ker's assumption of the office, the system of collection

[1] BJ (Cr)P, No. 44 of April 28, 1818, Regulation 5 of 1818.

[2] BRP, No. 25 of May 19, 1820, A Stirling, Secretary to Commissioner of Cuttack to W. Blunt, Commissioner of Cuttack, February 29, 1820.

[3] *Ibid.*

of tributes from the Garjat was defective, and some were defaulters. In 1817-18 he had to order the sale of 6 Tributary Mahals at the Collector's office for recovery of arrears. They were purchased by the Government and subsequently restored to the Rajas on payment of arrears. In order to realize the tributes regularly, Ker framed a new rule and enforced it. It was demanded that each Raja should send the amount of each 'kist' on the due date with a 'Challan' to the Collector's office and also inform the Commissioner about the matter. If that was not done, 'parwanas' were to be despatched, and if necessary peons were to be sent from the Commissioner's office for realizing the tribute. The new system worked well, and in 1818-19 not 'even a Rupee was in balance' in any of the sixteen Tributary Mahals.[1]

Previously, some of the Tributary Rajas were in the habit of purchasing estates in the Mughalbandi. The Government was put into inconvenience and embarrassment because the administrative system of the Mughalbandi was different from that of the Garjats. The British laws and regulations operated in the former, whereas it was not so in case of the latter. Ker wanted that the Tributary Rajas who were enjoying the privilege of exemption of the operation of British regulations must remain confined to their own territories and should not intrude 'on an order of things of which they form no part'. In a circular letter addressed to the Rajas on September 24, 1819, he declared, "I warn and advise you strongly never to think of doing so nay even should you have actually purchased any Estate, immediately to get rid of it." Ker also looked to the interest of merchants and grain dealers who were trading with or through the territories of the Rajas. The latter generally levied duties on them which were decidedly injurious to traders. The Commissioner thought it necessary to put an end to such practice. Therefore, he granted 'passes' to the merchants who passed through the Gurjats to proceed without any demand from the Rajas. By his intervention, the exactions on the merchants were expected to have ceased.[2]

[1] BRP, No. 25 of May 19, 1820, Stirling to Blunt, February 29, 1820.
[2] *Ibid.*

ADMINISTRATION OF WILLIAM BLUNT : 1820-1828

In 1820 William Blunt succeeded Robert Ker as 'the Commissioner in Cuttack' and the Superintendent of Tributary Mahals. Like his predecessor, Blunt was also much interested in the affairs of the Garjats In 1821 he suggested some measures for improvement of the administration of justice in the Tributary Mahals. He drew particular reference to the case of the Raja of Nayagarh who was guilty of serious misconduct in protecting Jagabandhu, the leader of the Paik Rebellion. Some of the Raja's subjects were also actively helping the rebels who had fled from Khurda and other places in Mughalbandi to Nayagarh. But as the Tributary Mahals were exempt from the operation of criminal laws and as there was no provision for bringing to trial and punishment of persons who might be accused of serious crimes within the limits of those Mahals, Blunt felt totally helpless in the matter. He, therefore, desired that the operation of criminal laws should be extended to the Mahals. He wanted to appoint an Assistant to the Commissioner in his capacity of the Superintendent of Tributary Mahals. As that officer was to be deputed frequently to the Tributary Mahals, it was desirable that he should be selected from the military branch of the Company's service. That officer, Blunt believed, would solve the family disputes among the Rajas and other such problems of the Mahals.[1]

The Court of Nizamat Adalat had no objection regarding Blunt's proposal for the regular cognizance of crimes and misdemeanours in the Mahals.[2] But the Governor-General in Council took a different view of the matter and decided to continue the policy of noninterference in their internal management. On August 10, 1821, they gave clear instructions on the matter. In their judgement, the interference in the affairs of the Mahals was to be chiefly confined to matters of a political nature, to the suppression of feuds and animosities prevailing between the Rajas of adjoining Mahals, or between the Rajas and their subordinate feudatories; to the correction of systematic oppression and cruelty practised by any of the

[1] BJ (Cr)P, No. 21 of August 10, 1821, Blunt to Government, July 11, 1821.

[2] *Ibid.*, No. 27 of August 10, 1821, Register of Nizamat Adalat to Secretary to Government, November 20, 1816.

Rajas or by their officers towards the inhabitants; to the cognizance of any apparent gross violation by them of their duties of 'allegiance and subordination.' Moreover, the Superintendent could interfere in such matters which, if not attended to, might lead to violent and general outrage and confusion, or to contempt of the paramount authority of the British Government. But the Superintendent's proposed measures for the introduction of police and criminal regulations into the Mahals were considered as matters of great risk and inconvenience. The Government also disapproved of the suggestion for the appointment of a permanent officer to assist the Superintendent of Tributary Mahals.[1] Thus, the Governor-General in Council viewed the whole situation in a broader context of imperial policy and repudiated the suggestions of the local officer. The declared policy of noninterference in the internal affairs of the Tributary Mahals of Orissa was maintained throughout the period under consideration. The authorities took decisive steps only in certain extreme cases where it was not possible to adhere to the principles of noninterference and when the exigency of the situation demanded drastic action.

In spite of such declaration, Blunt made yet another attempt to persuade the Supreme Government to realize the necessity for making certain precise rules for the administration of the Mahals. In his report of September 7, 1821 on the state of judicial administration in Orissa, he made a few observations on the subject of future management of the Tributary Mahals. He explained that he never contemplated in the remotest degree any interference in the internal management of the Police or in the general administration of civil or criminal justice in the Mahals. He knew that such interference would be 'useless, impolitic and mischievous'. But he could not believe that it was the intention of the Government to allow the Rajas to exercise unlimited powers on the life and death of other people, or to abstain from all interference in cases of murder committed within their estates. He pointed out that the roads from Cuttack to Sambalpur passed directly through the Tributary Mahals. The merchants who proceeded with their

[1] BJ (Cr)P, No. 31 of August 10, 1821, Government to Blunt, August 10, 1821.

goods through those routes by land or water, were liable to be attacked or plundered of their property while there were no regular means of taking cognizance of such offences or of compelling the Garjat chiefs to afford protection to such persons from violence within the limits of their territories.[1]

There were instances of such violences. A European officer, who was passing through the territories of the Raja of Nayagarh, was attacked and narrowly escaped from losing his life. Another daring outrage was committed in the territories of Ranpur. A sepoy was robbed and seriously injured. Blunt argued that as there was no legal provision for bringing such offenders to trial and punishment, he was unable to take any action on the above-noted cases, and so he pleaded for making certain definite arrangements for the administration of criminal justice in the Tributary Mahals. Usually 'pass ports' under the official seal and signature of the Superintendent had been granted to the merchants who passed through those territories.

It was of utmost necessity that the Rajas should be compelled to respect those passports and protect them from any molestation. Finally, he requested that the Commissioner should be empowered not only to take cognizance of 'heinous offences' in the Tributary Mahals but also to try and pass final sentences on the criminals sent to his court except murderers. In cases of murder, the final sentence should be passed by the Nizamat Adalat.[2]

Suggestions were also made for some improvement in administrative relations. Blunt wanted that the Joint-Magistrates who were stationed at Balasore and Khurda should be empowered to officiate as Assistants to the Superintendent with regard to certain Mahals which surrounded their headquarters. The Rajas of Nayagarh, Khandpara, Ranpur and Banki, whose territories were on the border of Khurda, could better pay their tributes into the treasury of the Joint Magistrate-cum-Deputy Collector at Khurda and similarly the tributes from Mayurbhanj and Nilgiri could be deposited

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[1] BJ(Cr)P, No. 18 of December 17, 1821, Blunt to Government, September 7, 1821.

[2] *Ibid.*

in the treasury of the Joint-Magistrate-cum-Deputy Collector at Balasore.

In their resolutions on the report submitted by Blunt, the Governor-General in Council agreed with his opinion as to the expediency of formulating certain rules for the administration of criminal justice in the Tributary Mahals. The drafts of rules as submitted were given approval and it was decided to enact them into a regulation with some modifications.[1] Unfortunately, the proposed rules respecting the Tributary Mahals, instead of forming a separate draft, were mixed up with other proposed rules connected with the administration of Orissa. As the latter rules were disapproved, the approved rules for the management of the Garjats were not passed and subsequently, they were 'forgotten'.[2] The only result of so much of vigorous persistence on part of Blunt for better management of the Tributary Mahals was that the proposition for appointing Assistants to the Superintendent met with entire approbation of the Government, and the Commissioner was directed to issue immediate orders for carrying that arrangement into effect.[3]

Besides this, no change was introduced in the administration of the Tributary Mahals for some years and the Government tenaciously maintained the status quo of the chiefs. They were left fully independent in the management of their territories. The Superintendent was generally guided by the instructions conveyed in the Government order on August 10, 1821. Prompt action was taken when occasion demanded, but such occasions were rare.

ADMINISTRATION OF GEORGE STOCKWELL : 1829-1832

George Stockwell became the Superintendent of the Tributary Mahals in 1829. In that year, a boundary dispute occurred between the Rajas of Ranpur and Nayagarh. The Raja of Ranpur made an attack on the possession of the Raja of Nayagarh in which some persons of Nayagarh were wound-

[1] BJ(Cr)P, No. 28 of December 17, 1821, Resolutions of Governor-General in Council on the report of Blunt, December 17, 1821.

[2] *Ibid.*, No. 33 of December 5, 1839, Ricketts to Government, January 21, 1839.

[3] *Ibid.*, No. 28 of December 17, 1821, Resolutions of Governor-General in Council on the report of Blunt, December 17, 1821.

ed and properties were damaged. The Government took stern action by imposing a heavy fine of Rs. 10,000 on the Raja of Ranpur. When William Wilkinson, the Magistrate of Puri, failed to realize the fine, Stockwell suggested to the Government to permit him to send a party of regular sepoys with the sherishtadar of his office to attach the entire Mahal of Ranpur.[1] The Governor-General approved of his suggestion and ordered that Ranpur should be attached until the fine was paid including such amount as might be sufficient to defray the expenses attending the 'attachment.'[2] The threat itself was enough and the Raja immediately paid the fine of Rs. 10,000, out of which Rs. 5,000 was given to the Raja of Nayagarh for the damages done to his property.[3]

Stockwell desired that the regulation 10 of 1793 should be extended to the Tributary Mahals, which was not likely to violate the feelings and prejudices of the chiefs. It provided for bringing the territories of every minor Raja into the jurisdiction of the Court of Wards. The measure was sound on many grounds, such as, to secure the annual tribute which was always at stake in the Mahals of the minor Rajas, to preserve such personal properties of the minors which were left by their parents and which were generally embezzled by servants or squandered by the widows, to accumulate for the Wards the surplus profits accruing to them during their nonage and also to promote their education so as to render them capable of managing their property when they reached their manhood. Stockwell wanted to raise them to affluence and rescue them from 'abuses of gross sensuality' in which most of the minor chiefs were encouraged to grovel by their corrupt attendants.[4]

Stockwell pleaded that by the extension of the regulation 10 of 1793, the Rajas would get two-fold benefits. They would get their territories in a flourishing condition with accumulated capital and at the same time their intellectual improvement would

[1] BJ(Cr)P, No. 21 of February 16, 1830, Stockwell to Government, February 5, 1830.

[2] *Ibid.*, No. 23 of February 16, 1830, Government to Stockwell, February 16, 1830.

[3] *Ibid.*, No. 44 of March 30, 1830, Stockwell to Government, March 24, 1830.

[4] *Ibid.*, No. 4 of August 16, 1831, Stockwell to Government, July 9, 1831.

be ensured under proper care of the Government. Thus, the total effect of the said regulation was likely to be that the Rajas would become 'better men' and 'better rulers'. Besides, the scheme was advantageous to the common people. It was a general practice among the Rajas to collect rents from the cultivators according to their whims and caprices. So the cultivators would be gainers by fixation of their annual rents according to some principles when the Mahals would be temporarily managed by the Government.[1]

Stockwell supported his proposition with certain examples. In case of Athagarh, which was under the possession of a minor Raja, arrears of tribute were outstanding against the Mahal. Things were set in order by attachment of the Mahal. In two other cases, Narsingpur and Dhenkanal, it was observed that anarchy and confusion prevailed under the rule of the minor Rajas. The people of Dhenkanal went to extent of petitioning the Government for intervention.[2]

The Government felt that although it was not considered advisable to extend the code of regulations to the Tributary Mahals and although the Rajas were averse to any unnecessary interference, yet there was no objection to empower the Commissioner to assume the temporary charge of the Mahals of the minor Rajas. It was desired that the measure should be adopted in order to preserve peace in those Mahals, to realize the Government tributes regularly and to protect the interests of the minor Rajas. To create confidence, the Government desired to associate the tahasildar with one of the most influential and respectable of the relatives of the minor Raja in the administration of the Mahal. Previous sanction of the Government was also required before such a measure was adopted.[3] Thus, at last Stockwell got permission to interfere in the management of the Tributary Mahals when they were under the minor Rajas.

He also prevailed upon the Government to reward the good services of the Tributary Rajas for the interest of the British. The names of the Rajas of Mayurbhanj and Keonjhar were

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[1] BJ(C)P, No. 4, 16 August, 1831, G. Stockwell to Deputy Secretary to Government.
[2] *Ibid.*
[3] *Ibid.*, No. 5 of August 16, 1831, Government to Stockwell, August 16, 1831.

recommended at the first instance for such rewards. They had cleared that part of the British high road from Calcutta to Bombay which passed through their territories. The Government authorized Stockwell to grant 'Khelats' to the said Rajas and to present each a pair of 'good shawls' and a 'handsome sword and belt of first quality.[1]

In 1831 the administration of Dhenkanal was taken over. That state presented a dismal picture of anarchy and confusion after the death of the old Raja. The movable property left by the deceased Raja was plundered and the amount extorted from the raiyats as revenue was squandered or misappropriated by the servants of the Raja. Also no provision was made for the payment of the tribute to the Government. Stockwell could not remain a calm spectator to the misfortunes of a minor Raja. In order to safeguard his interests as well as the welfare of his people, Stockwell took over the administration of Dhenkanal, and it was managed in the name of the minor Raja.[2]

THE BAMANGHATI DISPUTE

The most important episode, which cast its dark shadows over Stockwell's administration of the Tributary Mahals, was the disturbances in Mayurbhanj. That was known as the Bamanghati dispute. The disturbances originated in bad feeling and altercation between the Raja of Mayurbhanj and one of his feudatory dependents, the 'sarbarahkar' of Bamanghati, a place in the northern part of Mayurbhanj territory and near the western boundary of the district of Midnapore in Bengal. In Bamanghati, there were four 'parganas', known as 'Peers', the inhabitants of which were of the Kol tribe. The disputes between the Raja and the 'sarbarahkar' turned in great measure upon their relative rights and privileges with respect to those 'Peers".

From 1821 the superintendence over the four 'Peers' had been exercised by the Agent to the Governor-General on the South-West Frontier though the territories were included within the jurisdiction of the Raja of Mayurbhanj. The mistake was first pointed out in 1831 by Captain Wilkinson, acting Agent to the Governor-General on the South-West

[1] BJ(Cr)P, No. 37 of August 30, 1831, Government to Stockwell, August 30, 1831.
[2] *Ibid.*, No. 7 of November 22, 1831, Stockwell to Government, November 12, 1831.

Frontier, and on December 5, 1831, it was transferred to the authority of the Superintendent of Tributary Mahals of Orissa. Even before the transfer of these Kol 'Peers', there was dispute regarding the revenue matters between the Raja of Mayurbhunj and the 'sarbarah-kar' of Bamanghati. In December 1827, the dispute between Madhab Das Mohapatra, the 'sarbarahkar' of Bamanghati and Tribikram Bhanj, the Raja of Mayurbhanj, was settled in the court of the Commissioner of Cuttack and the amount of revenue to be paid by Madhab Das to the Raja was fixed.[1] But the did not pull on well for a long time. Immediately after the transfer of authority of the four Kol 'Peers' to the Superintendent, Stockwell summoned the Raja and Madhab Das to repair to Balasore in order to resolve their differences. They came to Balasore but Stockwell found it impossible to effect an adjustment upon the evidence before him. He came to the conclusion that "it was a case of internal management and arrangement of that nature with which the Government desired there should be no interference and that the Surburakar as Vassal must submit to and abide by the order of his feudal chieftain".[2]

The decision of Stockwell was certainly unpalatable to Madhab Das, and he was not prepared to abide by the orders of the Raja of Mayurbhanj. On April 2, 1832, Stockwell reported to the Government that he anticipated disturbances in Bamanghati.[3] The apprehension proved true and Madhab Das revolted against the authority of the Raja and burnt some villages. Stockwell reported the matter at once to the Government and proceeded to take action against Madhab Das.[4] He met with opposition from the people of Madhab Das but by virtue of superior force he took away the 'Peers' from his jurisdiction although the 'sarbarahkar' did not submit to him. In the meantime the Government had directed a British regiment under Lt. Col. Doreton to proceed to the place and Capt. Wilkinson, the Agent of South-West Frontier, was asked

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[1] Selections from Official Letters and Records relating to the History of Mayurbhanj, Vol. II, pp. 33-5.

[2] Letters from Court, Judicial Department, Vol. 12, Court of Directors to Governor-General in Council, February 12, 1834, No. 3.

[3] BJ(Cr)P, No. 97 of April 10, 1832, Stockwell to Government, April 2, 1832.

[4] *Ibid.*, No. 4 of April 24, 1832, Stockwell to Government, April 14, 1832.

to report about the disturbances. Madhab Das submitted to Capt. Wilkinson. Stockwell suggested that strong measures should be taken against him. He should be expelled from his possessions and the 'Peers' should be made independent of both the Raja and the 'sarbarahkar' and should either be administered directly by the British Government and brought under the regulations, or be assigned to a 6-year old son of Madhab Das.[1]

But the Government disapproved of the suggestions of Stockwell and adopted a course recommended by Capt. Wilkinson. It was felt that the restoration of Madhab Das to his territory was the only plan by which tranquillity might be restored and preserved. In extending this favour to the 'sarbarahkar,' the Government took engagement from him that he would restore the property which had been plundered and keep his people from plundering in future. He was to pay the Raja of Mayurbhanj his legitimate dues, and as regards the dispute, he was required to abide by the decisions of the Government. Madhba Das was brought under the control of Capt. Wilkinson.[2]

Stockwell expressed his vehement opposition to the grant of conciliatory terms to Madhab Das and said that if those terms were adopted, he might be 'withdrawn from the duty'. As the Government decided against his views, he persisted for the acceptance of his resignation. He was relieved of his duties on June 12, 1832,[3] and thus the man, who was so much interested in the better management of the Tributary Mahals, had to quit his office for difference of opinion with the Government.

But the dispute of Bamanghati did not end with the resignation of Stockwell. Tranquillity was once more broken with the disturbances of 1834-35. The Raja of Mayurbhanj attacked the holder of Bamanghati and defeated and dispossessed him of his territories. But the Raja was unable to control his lawless allies who commenced to pillage the villages and murder

[1] BJ(Cr)P, No. 1 of July 22, 1832, Stockwell to Government, May 17, 1832.

[2] Letters from the Court, Judicial Department, Vol. 12, Court of Directors to Governor-General in Council, February 12, 1834, No. 3.

[3] BJ(Cr)P, No. 30 of June 12, 1832, Stockwell to Government, June 1, 1832.

the inhabitants. Even the Government 'dak' was plundered and for sometimes communication between Calcutta and Bombay was paralysed. Capt. Wilkinson was directed to restore order. That being effected, the Kol 'Peers' were brought under the direct control of the Government. The Raja of Mayurbhanj was permitted to retain Bamanghati, subject to his assigning sufficient amount to Madhab Dass for the maintenance of his family members who were stationed in Singbhum.[1]

Robert Hunter, who succeeded George Stockwell, had to face troubles in Dhenkanal. In June 1833, disturbances broke out at that place in which three persons were killed, two were wounded and their property was plundered.[2] It was found out that Rani Pitabas Debi was involved in the crime and was assisted by Nityananda Sreechandan and Narayan Singh. At the end of the enquiry, the Rani and Nityananda Sreechandan were banished from Dhenkanal and were imprisoned as State prisoners for life at Midnapore. They were to be confined at such places as the Government would direct from time to time and were to be provided with monthly allowances from Dhenkanal. Narayan Singh was imprisoned for 14 years in the Cuttack jail.[3] It had been already noted that Dhenkanal was under the direct management of the Superintendent of Tributary Mahals from 1831. On December 1, 1836, Rani Kundun Debi was placed in possession of the Mahal.[4]

ADMINISTRATION OF HENRY RICKETTS, 1836-1839

In 1836 Henry Ricketts became the Commissioner of Cuttack and assumed the charge of the Tributary Mahals. During the next year, the Tributary Mahals of Orissa took their final shape for the 19th century by the addition of two more Mahals, Baud and Athmallick, which were transferred from the

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[1] SRG, Bengal, 1867, XXIV B-No. 3, Mills' Minute on the Tributary Mahals of Orissa, January 23, 1847, pp. 91-2.

[2] BJ (Cr)P, No. 27 of November 18, 1833, W. Wilkinson, Assistant Superintendent of Tributary Mahals to R. Hunter, Commissioner of Cuttack, October 12, 1833.

[3] *Ibid.*, No. 30 of November 18, 1833, Government to Hunter, November 18, 1833.

[4] *Ibid.*, No. 25 of December 13, 1836, Ricketts to Government, December 1, 1836.

jurisdiction of the Agent on the South-West Frontier to the Commissioner of Cuttack.[1] Thus, the number of the Orissa Tributary Mahals was raised from 16 to 18.*

The same year, Ricketts reported to the Government regarding the atrocious activities of three of the Rajas. The servants of the Raja of Angul murdered 6 persons in cold blood. The Rajas of Banki and Tigiria invaded each others' territories, burned and plundered 50 or 60 villages and caused death on both sides of many 'paiks' and raiyats. Ricketts wanted to take strong action against them and requested the Government for permission. He wanted that if any of the Rajas would refuse to attend him, he would seize him by force and detain him as a prisoner till their cases were finally settled.[2] The Government authorized him as proposed.[3] But without taking recourse to such harsh steps, the cases were decided in favour of the Rajas as they were not found guilty. In 1838 another case occurred in Banki in which 8 travellers with Rs. 4,345 were found missing. The Raja was ordered to conduct enquiry and report its result. But he failed to ascertain the fate of the missing persons. Henry Ricketts wanted to take strong action against the Raja but the Government did not permit him to do that.[4] Thus, though the authorities took notice of serious criminal offences in the Tributary Mahals, yet no decisive steps were taken to prevent them or to penalise the offenders. In fact, there was no codified system in the management of the Tributary Mahals. It induced Ricketts to submit a detailed report on the administration of the Mahals for consideration of the Government in which he advocated for a change of the system.[5]

Ricketts pointed out that the revenue which the Government

* (See Appendix III for various statistics of the Mahals compiled by Ricketts in 1839.)

[1] BJ(C)P, No. 44 of April 11, 1837, Government to Ricketts, April 11, 1837.

[2] BJ(Cr)P, No. 26 of February 7, 1837, Ricketts to Government, January 28, 1837.

[3] *Ibid.*, No. 27 of February 7, 1837, Government to Ricketts, February 7, 1837.

[4] *Ibid.*, No. 12 of October 30, 1838, Government to Ricketts, October 30, 1838.

[5] *Ibid.*, No. 33 of December 5, 1839, Ricketts to Government, January 21, 1839.

drew from the Tributary Mahals, though not considerable, was in some Mahals at least as large as the proceeds from many of the Mughalbandi Mahals. The inhabitants of the latter were fully protected by the British laws and regulations but in the former case there was no such systematic rule for the interest of the people. Ricketts felt ; "We are bound to establish something approaching to systematic rule, or to forego the tribute, and receiving a trifling annual nuzzur (say 100 Rupees from each) in acknowledgement of the supremacy of the British Government, declare the Rajahs to possess each within his territories sovereign authority ; the liability to punishment, in cases of aggression on a neighbouring Raj, continuing as at present". "I have mentioned the scheme of making the Rajahs independent and irresponsible", he continued, "as one alternative by which we may escape from the discreditable position we now occupy with respect to the Gurjat Mahals". But the other alternative he proposed was "increased interference, and the establishment of a defined system of management".[1]

Ricketts drafted extensive penal and civil rules for the administration of the Tributary Mahals and submitted them for the consideration and approval of the Government. But the Government of India was not prepared to accept his suggestions. The Governor-General in Council pointed out that the draft rules were too extensive in their general scope and "they involve more interference than is desirable with the people of the wild tracts in question, and that they would tend injuriously to weaken the influence of the Rajahs over their peasantry."[2] They were of the opinion that it would be inexpedient to legislate for the Tributary Mahals and that it would be sufficient to furnish a few rules of a general nature for the guidance of the Superintendent. However, it was felt that the Superintendent must have a discretionary power of interference in any 'heinous cases' brought to his notice, where such interference might appear to him indispensably necessary to secure the 'ends of justice'. But every such case, in which it might be

[1] BJ(Cr)P, No. 33 of December 5, 1839, Ricketts to Government, January 21, 1839.

[2] *Ibid.*, No. 48 of December 5, 1839, Secretary to Government of India to Secretary to Government of Bengal, November 25, 1839.

thought necessary to punish one of the Rajas for misconduct of any description, should be specially reported for the final orders of the Government. Finally, it was the desire of the Government that the Superintendent "would interfere as little as possible in matters either of civil or criminal justice with the people of these Mahals, consistently with the resolution of Government passed in 1821." However, the Government directed Ricketts to prepare a set of rules based on the principles explained above.[1]

The work fell upon A.J.M. Mills, the successor of Henry Ricketts.[2] It could be thus seen that the Government of Lord Auckland voiced the sentiments of Lord Moira and tenaciously upheld the policy of noninterference in the British relation with the Tributary Mahals. But paradoxically enough, it would be noticed that only within a few years of such a declaration of policy, the British Government took stern action against two Tributary Rajas and confiscated their territories.

A Period of Vigorous Action, 1840–48

ADMINISTRATION OF A. J. M. MILLS', 1840—46

The administration of A. J. M. Mills signalized the beginning of a period of vigorous action in the affairs of the Tributary Mahals. He began with strong measures against some of the Rajas. On February 22, 1840, he reported to the Government of Bengal the circumstances which compelled him to attach Nilgiri, a Tributary Mahal near Balasore. The raiyats of that Mahal had rebelled against maladministration of the Rani, the mother and guardian of the minor Raja. After thorough enquiry, the Rani was found guilty and was ousted from power. Mills assumed temporary charge of the Mahal, and it was placed under the management of the Collector of Balasore. The Rani was assigned an allowance for the support of herself and the royal family. The surplus revenue of the Mahal

[1] BJ(Cr)P, No. 48 of December 5, 1839, Secretary to Government of of India to Secretary to Government of Bengal, November 25, 1839.

[2] *Ibid.*, No. 49 of December 5, 1839, Government to Mills, December 5, 1839.

was to accumulate in favour of the minor Raja.[1] In 1843 the Raja attained his majority and was placed in possession of his territories.

CONFISCATION OF BANKI (1840)

Besides Nilgiri, another Tributary Mahal which called for the British interference was Banki. Jagannath Srichandan, the Raja of Banki, was by nature a tyrant. The leading inhabitants of Banki complained before the Superintendent against the ruler and prayed for action against him. Balabhadra, a distant relation of the late Raja, represented to the Government for considering his case for the possession of Banki. The Raja suspected that Raghunath Paramaguru, one of his priests, and his son were the agents of Balabhadra and were instigating the people to complain against him near the Superintendent. In 1839, Raghunath Paramaguru and his son were seized by the orders of the Raja, tortured inhumanly and finally murdered. The matter was brought to the notice of the Superintendent. Ricketts, the then Superintendent, made preliminary enquiry and was convinced of the complicity of the Raja in the murder case. Before full enquiry was made and final judgement was given, Ricketts was succeeded by Mills. He took up the matter in right earnest and found the Raja guilty of murder. He wanted to inflict 'a severe and exemplary punishment' in order to warn other Tributary Rajas for their oppressive and cruel conduct. So he recommended that the Raja should be banished from Banki and kept as a State Prisoner like the Rani of Dhenkanal for life. His Mahal should be confiscated and placed under the direct management of the Government.[2] The Government confirmed the sentence passed on the Raja and authorized the confiscation of the Mahal subject to decision on the claim of Balabhadra. As the latter's claim was rejected, Banki became a permanent Government Mahal and was managed by the Collector of Cuttack.[3]

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[1] BJ(Cr)P, No. 40 of March 3, 1840, Mills to Government, February 22, 1840.

[2] *Ibid.*, No. 55 of 14, April 1840, Mills to Government, February 20, 1840.

[3] *Ibid.*, No. 34 of October 27, 1840, Mills to Government, October 6, 1840.

The confiscation of Banki was a striking example to others of the powers of Paramountcy of the British Government in their relation with the Tributary Mahals. Though the Government had abstained from the formulation of definite rules and the extension of British regulations to those Mahals, yet it became obvious that it was determined to take severe action against the Tributary Rajas, even to the extent of confiscation of their possessions, in case of their misconduct.

Mills in his Minute of January 23, 1847 described two-fold effects of the confiscation of Banki. First, the Rajas became more careful in their conduct and were 'less disposed to oppress their subjects'. 'The principal and most independent' Rajas, viz., those of Angul, Nayagarh, Mayurbhanj and Keonjhar were 'very despotic in their sway'. But the punishment of the Raja of Banki induced, 'a better line of conduct even in them'. Secondly, as a Government Estate, Banki was surveyed, 'a fair and equitable' settlement of revenue was made and the rights of the people were secured. Mills observed that "the change is hailed with general satisfaction, and the oppressed subjects of other Killahs find in Banki a sure place of refuge and protection." Also the direct administration of Banki operated "gradually, but effectually in working a reform of the general spirit of administration in the neighbouring Estates" and added to 'the influence of Government over them'.[1]

As per previous decisions, Mills submitted a set of rules to the Government for the management of the Tributary Mahals, soon after the Banki incident.[2] Those rules, 18 in number, were prepared on the lines formulated by Ricketts and were modified only in such parts which involved too great an interference in the administration of civil and criminal justice in the Mahals.* Mills believed that the revised rules, need not be considered either as too elaborate or injurious to the cause of the Rajas. The Government of Bengal could not find any fault with the rules but took a different decision on the matter. While the

[1] SRG, Bengal, 1867, XXIV B-No. 3, Mills' Minute on the Tributary Mahals of Orissa, January 23, 1847, pp. 64-5.

[2] BJ(Cr) P, No. 36 of November 17, 1840, Mills to Government, September 17, 1840.

* See Appendix IV for the set of rules which Mills prepared for the administration of the Tributary Mahals.

Superintendent was permitted to act upon the spirit of the rules he had framed, yet no official approval was given to those rules. It was thought to be desirable not to pass any specific rule for the administration of the Mahals.[1]

The Government of India approved of the decision of the Government of Bengal, and Mills was informed accordingly. It was further directed that "the Superintendent will not interfere too much between the Rajahs and their tenantry but at the same time he will see that the power of life and death be in no case exercised by the Rajahs, that 'Suttees and sacrifices be as much as possible put a stop to and that the Rajahs be not permitted to enter into hostilities with each other". The Superintendent should exercise the power of sentencing criminals of the Tributary Mahals to imprisonment for 7 years and in case of any severe punishment, the matter should be first reported to the Government of Bengal.[2]

The Court of Directors expressed similar views in their despatch of December 14, 1842. They pointed out that in 'the present rude state of society' in the Tributary Mahals, it would not be advisable to bring them under the jurisdiction of regular courts of justice. Such a measure, they apprehended, "would provide neither for the peace of the country nor the protection of its inhabitants and would in truth be a sacrifice of those objects of paramount importance for the mere name and show of an administration of law". They wanted that considerable discretion should be left with the Superintendent whose object ought to be, "not to weaken the influence of the Rajahs but to interfere with their authority only in cases of a political nature, and for the prevention of cruelty, oppression, and crimes of an aggravated nature."[3] It was the same old principle which the Court followed from the beginning.

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[1] BJ(Cr)P, No. 38 of November 17, 1840, Secretary to Government of Bengal to Secretary to Government of India, October 6, 1840.

[2] *Ibid.*, No. 40 of November 17, 1840, Government to Mills, November 17, 1840.

[3] BJP, No. 2 of March 13, 1843, Extract from a despatch from the Court of Directors in the Legislative Department, December 14, 1842, No. 22.

MEASURES FOR THE PREVENTION OF SUTTEE

In 1842 'Engagements' were executed by the chief officers of the Tributary Rajas for preventing the practice of 'Suttee' in their territories. They bound themselves never voluntarily or under compulsion to lend their support to the performance of such rites or to allow others to do so. They further agreed that on the demise of a Raja, if any of his Ranis would actually desire to become 'Suttee', and would disregard their prohibition, they would restrain her from becoming 'Suttee' and would report the matter at once to the Superintendent. They also unhesitatingly engaged to submit themselves to any penal orders which the Superintendent might issue if they acted in any way contrary to the 'Engagements.'[1]

The first violators of the prohibition were the dependants of the Raja of Khandpara who, after the death of the Raja, permitted two of his wives and two slave girls to become 'Suttees'. They were punished with fine and imprisonment and moreover as a mark of displeasure of the Government, the Estate was brought under the protection of the Superintendent during the period of the heir's minority. The example had no doubt its due effect in inducing the chief officers of the Rajas of Baramba, Hindol, and Dashpalla to prevent the widows of the deceased Rajas from destroying themselves in the funeral pyres of their husbands. The Rajas of Mayurbhanj and Keonjhar, the two most powerful Chieftains, remonstrated against the prohibition as it was opposed to the tenets of their religion. As those territories were too distant from Cuttack, Mills apprehended that 'Suttees' might take place there though he believed that the terror of punishment would check its frequency, even in those 'haunts of superstition'.[2]

SUPPRESSION OF THE MERIAH SYSTEM

Besides the suppression of 'suttee' in the Tributary Mahals, another humanitarian undertaking of the British Government was the suppression of human sacrifice in those 'haunts of superstition'. The practice of human sacrifice or the Meriah sys-

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[1] Aitchison, *A Collection of Treaties. Engagements & Sunnunds etc.* Vol. I, pp. 197-8.

[2] SRG, Bengal, 1867, XXIVB-No. 3, Mills' Minute on the Tributary Mahals, January 23, 1847, p. 62.

tem was first found in the hill tracts of Goomsur, a small Hindu state near the south-western border of the Tributary Mahals of Orissa, which was under the jurisdiction of the Madras Presidency. G. E. Russell, of the Madras Civil Service, was the first person who reported the prevalence of such a system to the Madras Government on August 12, 1836.[1] On further enquiry, it was found that the system was prevalent among the Khonds who inhabitated in a wide area of hill tracts under the jurisdictions of the Madras Government, the Bengal Government and also under the dominion of the Nagpur raja. The efforts to suppress the practice were first made separately by the Governments of Bengal and Madras and when the futility of partial efforts were realized, the Khond tracts were brought under a single jurisdiction by the Supreme Government.

As early as February 23, 1837, Henry Ricketts, the Commissioner and Superintendent of the Tributary Mahals, met Russell and heard from him that an extensive system of human sacrifice prevailed in the Khond territories. Russell's report proved true and Ricketts discovered the meriah system in the Tributary Mahal of Dashpalla and rescued several victims.[2] He made many enquiries from the Khond chiefs and others, respecting the custom. He reported that "they sacrifice to the earth, to the 'muttee'. They suppose good crops and safety from all diseases and accidents to be procured by this slaughter. It is considered peculiarly necessary where huldee is the crop which engages their care. They coolly reasoned with me as to the impossibility of the huldee being of a fine deep color without this shedding of blood. They will not knowingly sacrifice a Khond or a Brahmin; with these two exceptions, victims of all ages and colors, of every religion, and both sexes, are equally acceptable; but fat are more efficacious than thin, and those in their prime, than the aged and the young."[3] As regards the manner of the ceremony, Ricketts reported that "very contradictory stories were told of the manner in which the ceremony itself is conducted, the most common

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[1] SRG, (India), No. V, (1854), Operation for Suppression of Human Sacrifice, p. 1.

[2] *Ibid.*, p. 72.

Ibid.

appears to be to bind the victim between two strong planks or bamboos, one being placed across the chest, the other across the shoulders. These are first of all strongly fastened at one end, the victim is then placed between, them, a rope is passed round the other ends, which are long enough to give a good purchase, they are brought together, and the unfortunate sufferer squeezed to death. Life still ebbing, the body is thrown on the ground and chopped in two pieces below the bamboos with hatchets. Some accounts say that after the performance of several savage ceremonies and feastings the divided corpse is buried unmutilated. Others say that as soon as divided, those in attendance fall on, and cut each a piece which is carried away to be buried in his own land."[1]

As regards the method of suppression of such 'horrid rites', Ricketts suggested: "By sending a strong party once a year from Cuttack to march through the country, from end to end, with an Officer authorized to punish immediately by death, if he thought fit, any person proved guilty of the crime, it might be effectually put down, and I think such a system would have a beneficial effect in many ways; not only human sacrifices would be abolished, but the constant feuds between these Rajas and Chiefs, which are always attended with more or less loss of life, would be prevented. The tour would occupy about six weeks, and cost, supposing the party consisted of four Companies, about rupees 2,000."[2] But the Government of Bengal did not believe in the efficacy of such a method and did not sanction Ricketts' proposal for the annual march of a military force under an Officer vested with power of summary punishment for that purpose. The Government pointed out that the practice had been "sanctioned by long usage as a national rite, and confirmed by the gross delusions of the darkest ignorance and superstition." So it was believed that "the working of a moral change among the people by the progress of general instruction, and consequent civilization, can alone eradicate from among them the inclination to indulge in rites so horrible."[3]

[1] SRG. (India), No. V, (1854) Operation for suppression of Human Sacrifice, p. 73.
[2] *Ibid.*, p. 74.
[3] *Ibid.*, pp, 74 5.

Mills, the successor of Ricketts, pushed ahead the scheme of suppression of Meriah system vigorously. He reported on June 2, 1843 that by sending a trustworthy native officer to the Khond areas of Baud and Dashpalla, he liberated 8 children. The Khond chiefs promised to restore 17 others. Mills believed that "Conciliatory measures alone will not effect the suppression of the rite; force must precede conciliation, and it is hopeless to expect to put it down even with the application of force, unless a special agent is appointed to use force when necessary, and systematic measures are adopted for carrying out simultaneously the orders of Government, both in the Madras and Bengal territories". He further pointed out that "if it be determined to adhere to the present system of inducing the Khonds to give up the rite, I would suggest that an Officer of experience, and qualified by disposition and character for the duty, be appointed to the command of the Khoordah Paik Company, and be made ex-officio Assistant to the Superintendent of Tributary Mahals, on a suitably increased salary. I would require him to make a tour through the Khond Mahals every year, to act in union with Captain Macpherson and under identical instructions in bringing over the Khonds to our views."[1]

Mills' suggestion for the appointment of a special officer was accepted and Captain Hicks was appointed as the Assistant to the Superintendent of Tributary Mahals for the purpose of suppressing human sacrifices. On February 24, 1844, Mills reported for the information of the Government of Bengal that he had deputed Captain Hicks to the territories of Dashpalla and Baud with necessary instructions to liberate meriah victims. He was strictly enjoined that "for the present all coercive measures are to be carefully eschewed. You should invite the principal Sirdars to come to your Camp, talk and reason with them on the barbarity of the rite, and the abhorrence with which Government regard it, and endeavour to win them over to our views."[2] Hicks succeeded "in rescuing 23 victims, viz., 11 boys and 12 girls, of ages varying from 3 to 19, and inducing 26 Khond

[1] SRG, (India), No. V, (1854), Operation for Suppression of Human Sacrifice, pp. 76-7.

[2] BJP, Nos. 75 & 76 of March 11, 1844. Mills to Government, February 24, 1844.

Sirdars to subscribe to an unconditional agreement, pledging themselves to refrain from the horrid practice."[1] On June 10, 1845, Mills reported the accounts of Hicks' second mission into the Khond territories of Dashpalla and Baud. He rescued 12 victims in all and ascertained that 13 victims had been slaughtered since his last visit. It was believed that the British interference had checked to a great extent the frequency of the practice.[2]

On July 19, 1845, the matter was fully reviewed by the Governor-General in Council and certain important resolutions were passed. It was observed: "There is a general concurrence of opinion that the efforts of the Government ought to be made under one system and one influential agent; that his coadjutors should conduct their proceedings simultaneously with him, and in subordination to him: that by thus entrusting to one controlling authority, the management of this difficult undertaking, there will be a better chance of success, than if the authority continue divided, as it has hitherto been, between Bengal and Madras officers." Therefore it was decided that "this object will be best attained by the formation of an agency extending over the whole tract of country where human sacrifices prevail, which agency shall be under the general guidance of the Government of India."[3] Captain Macpherson, who was already engaged in the task in the territories under the Madras Government, was selected to become the Agent of the Government of India in the special Meriah Agency. Baud and Dashpalla, which were under the jurisdiction of the Superintendent of Tributary Mahals in Cuttack, were placed under the jurisdiction and superintendence of Macpherson. He entered upon the duties of his new office in December 1845 with his headquarters at Surudah.[4] The Meriah Agency continued with unabatted success till its abolition in December 1861 when it was considered no longer necessary. The inhuman

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1 SRG, (India), No. V, (1854), Operation for Suppression of Human Sacrifice, p. 79.

2 *Ibid.*, p. 88

3 *Ibid.*, p. 91.

4 BJP, No. 211 of March 18, 1846, Government to Macpherson, December 24, 1845.

practice never raised its head again in the hill tracts of Orissa.

CONFISCATION OF ANGUL, 1848

When the suppression of Meriah system was going on in full swing, the Government took drastic action against the Raja of Angul and his territories were confiscated in 1848. On January 23, 1847, Mills in his Minute on the Tributary Mahals mentioned about Somanath Singh, the Raja of Angul thus: "He is an intelligent, though eccentric man; but is withal proud headstrong, and the most refractory of all the chieftains and the most likely to come into collision with the constituted authority." From 1846 the Raja had already picked up a quarrel with the Government. In that year he attacked, plundered, and forcibly took possession of a village of Hindol, a Tributary Mahal adjacent to Angul, when his right to the village was under enquiry by the Superintendent of the Tributary Mahals. For this offence he was fined Rs. 3,000. He protested on the ground that he had purchased the village from the Raja of Hindol, who, on the other hand, stated that he had not received the purchase money. The Government cancelled the sale, on the ground that the Rajas of the Tributary Mahals were not empowered to alienate any portion of their respective territories without prior permission of the Govt.[1] But the Raja insisted on his right to the village, "refused to renounce his claim, and determined to oppose force by force." Finally, the village was made over to him on condition that he would pay the fine and beg forgiveness for his misconduct. In this connection, Mills observed: "I was induced to yield the point because the sale and purchase of portions of Tributary Estates had not been formally and publicly prohibited before the transaction occurred, and I deem it inadvisable to proceed to extremities and employ a Military force, and seize the Killah, as the justness of our quarrel might, with some share of fairness, be impugned." "Thus", he concluded, "a war with this misguided chieftain was avoided, but, from his character it may at any time be necessary to use force against him."[2] Such a necessity came only within a year.

[1] SRG, Bengal, 1867, XXIV B-No. 3, Mills' Minute on Tributary Mahals of Orissa, January 23, 1847, p. 85.

[2] The Calcutta Review, Vol. IX, No. XVIII, Article VI, the Cuttack Tributary Mahals—Recent Operations against Angool, p. 201.

In course of the operations against the Meriah system, the people of Goomsur became discontent and broke into open hostilities against the authorities. The Goomsur disturbances spread into Baud and adjacent Khond territories and the Government suspected that Somanath Singh, the Raja of Angul, had instigated and excited the Khonds. It was also believed that he assisted the Khond leaders by all possible means to defy the authorities. The Government decided to send troops to Angul to penalize him. On January 15, 1848, the 'Ungool Field Force' under the command of Lt. Col. Campbell marched for that purpose. It was composed of about 2000 fighting men and four guns. On January 22, the Field Force entered Angul and without encountering much resistance, succeeded in capturing the Raja within a few days.[1]

The Raja was sent to Hazaribagh as a State Prisoner and Angul was confiscated to be managed directly by the Government. It was so decided to make it a base for operation against the Khonds. Lord Dalhousie, the Governor-General in 1848, declared that "......We have a perfect right to do with it what we please. It has been justly forfeited and no one could whisper a complaint if we turned out the whole lot and took it to ourselves. And there can be no doubt that the example among those wild and recusant tribes would be most salutary, and strengthen greatly the hands of the Government in effecting the suppression of the barbarous rites they practise against which the Government has officially and repeatedly declared unmitigated and lasting hostility."[2] Thus, within 8 years of the confiscation of Banki, another Tributary Mahal was annexed. The Government did not hesitate to throw the traditional policy of noninterference into air when it was a question of expediency and the interests of the Government clashed with those of the Rajas.

THE LAST PHASE: 1848–1858

In the last decade under the Company's rule, the Tributary Mahals presented a calm atmosphere in absence of any striking

[1] The Calcutta Review. Vol. IX, No. XVII, Article VI, the Cuttack Tributary Mahals—Recent Operations against Ungool, pp. 206-14.

[2] M.N. Das., *Studies in the Economic and Social Development of Modern India : 1848-56*, p. 371.

incident. F. Gouldsbury had succeeded Mills as the Commissioner and Superintendent of the Tributary Mahals in 1847. After the confiscation of Angul, he suggested for the introduction of a uniform and properly defined system of administering justice in the Mahals. He knew that the British laws and regulations "could not be enforced without keeping up an efficient establishment which would involve a heavy additional charge, greatly disproportioned to the revenue which we derive from the tract of country in question." Under such circumstances, Gouldsbury argued that the best policy would be "that of leaving the judicial authority in the hands of the Rajahs, subject to such checks against the abuse of it as may be found practicable to establish." The general rule followed at that time was that the 'heinous cases' were to be referred by the Rajas to the Superintendent. But as there was no defined rule for distinguishing such cases from ordinary ones much was left to the discretion of the Rajas. Also there was no rule prescribing either the nature or the extent of the punishment which the Rajas might inflict in the cases within their cognizance, the consequences of which were that each Raja acted according to his own will. Sometimes the offenders were let off without any punishment and at other times, a penalty was imposed wholly unsuited to the offence.[1]

In order to remove such an anomaly, Gouldsbury submitted a set of rules which he wanted to enforce in the Tributary Mahals, for consideration of the Government of Bengal. He believed that the authority of the Rajas would be rather enhanced than diminished by the adoption of those rules.[2] However, the Government of Bengal informed that after bestowing 'the fullest consideration upon the subject', it was found that the prevalent system did not 'call for any material change at present'.[3] Thus, once again the hope of extending some definite rules in administering justice in the Garjats was dashed to the ground.

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[1] BJP, No. 186 of October 1, 1851, Gouldsbury to Government, July 16, 1851.

[2] *Ibid.*

[3] *Ibid.*, No. 189 of October 1, 1851, Government to Gouldsbury, September 29, 1851.

Towards the end of 1853 Henry Ricketts, then a member of the Board of Revenue, visited Orissa and sent administrative reports about the three districts of Balasore, Cuttack and Puri and the Tributary Mahals to the Government of Bengal. He found out that during the last two years, interference of the Superintendent in the internal affairs of the Tributary Rajas had increased. Ricketts even thought that "it leaves them without any authority whatever". He did not like that the Superintendent should take into consideration any kind of complaint of the people of the Tributary Mahals against their Rajas and preferred to advise him that "the orders which left the control of their subjects with the Rajahs must be observed."[1]

The Government of Bengal agreed with the views of Ricketts. It was observed that though it was unquestionably the duty of the Superintendent on the one hand to uphold the authority of the Rajahs in their respective Estates and prevent disturbances, and on the other hand to protect the people against gross and systematic misrule, yet those objects would not be achieved by entertaining petty complaints against the Rajas. The Government finally resolved "The guiding principle of non-interference except in serious cases, a principle heretofore steadily maintained by the Government must be carefully adhered to by the Superintendent and not departed from in any instance without special sanction."[2]

On May 21, 1855, E. A. Samuels, the Superintendent of the Tributary Mahals, brought the subject of rent-free holdings in those Mahals into the notice of the Government for immediate consideration. He found out that the Tributary Rajas had been in the habit of bestowing lands rent free on their relations and dependents. The lands were generally granted in lieu of salary either on account of services rendered or as subsistence allowance to the members of the family and when the service ceased or the relative died, the land reverted to the Raja. Previously the right of the Raja to resume grants made by himself or his ancestors was not questioned. But Samuels found that only in time of his several predecessors in recent years, the jagirdars and lakhirajdars frequently appealed to the Superintendent

[1] Henry Ricketts, *Report on the District of Cuttack*, p. 92.
[2] BJP, No. 170 of April 20, 1854, Resolution of Government of Bengal, February 11, 1854.

whenever the Rajas sought to eject any of them from their holdings. The course which different Superintendents persued in those cases varied much. Ricketts declined to interfere in such matters and upheld the authority of the Rajas. Mills arbitrated between the parties and enforced his awards if either party was dissatisfied. Gouldsbury considered that the grants of the different Rajas were irrevocable by themselves and by their successors and decided accordingly.[1]

Samuels argued that if the Government would accept the grants of the Rajas as irrevocable, the whole culturable land in a Mahal might be alienated by a Raja and 'the rind of the Estate' might be thrown into the hands of the Superintendent. So he proposed to inform the Tributary Rajas that no such grant would be considered valid or allowed to operate to the prejudice of the revenue. Of course, he did not like to debar the Rajas to make such grants only for 'the period of their own incumbency'.[2] The Government immediately took the matter into consideration and fully agreed with the suggestions of Samuels. Accordingly, he was directed to inform the Tributary Rajas to act upon his views regarding the rent-free grants.[3]

TRIBUTARY MAHALS AND THE REVOLT OF 1857

During the stormy days of the revolt of 1857, the Tributary Mahals of Orissa remained remarkably calm. On December 16, 1857, G.F. Cockburn, the Superintendent, stated that he had nothing to report to the Government concerning the Tributary Mahals. The Rajas of Mayurbhanj and Keonjhar rendered some good services to the British during the period, and subsequently they were conferred with the titles of 'Maharaja' by the Government.[4]

On the whole, the British administrative relation with the Tributary Mahals was characterized by the policy of noninter-

[1] BRP, No. 13 of June 14, 1855, Samuels to Government, May 21, 1855.

[2] *Ibid.*

[3] *Ibid.*, No. 15 of June 14, 1855, Government to Samueis, June 11, 1855.

[4] BJP, No, 521 of January 21, 1859, Secretary to Government of Bengal to Superintendent of Tributary Mahals, January 20, 1859.

ference in their internal affairs. Ordinarily the rulers were left to administer their territories without any intervention of the Government officers. They were required to pay their tributes to the Government regularly. Perhaps as a matter of policy the bigger and powerful 'Mahals', were charged lesser amount of tributes than the smaller and weaker 'Mahals'. It is obvious from the fact that whereas Mayurbhanj and Keonjhar with areas of 4243 and 3096 sq. miles paid Rs. 1,001/- and Rs. 2,790-11 annas respectively, Khandpara and Nilgiri with areas of 244 and 278 sq. miles paid Rs. 3,948-5 annas and Rs. 5,617-6 annas respectively. Though the local officers repeatedly represented to the higher authorities for the extension of British laws and regulations to those Mahals, yet the Government firmly opposed such a policy, and no definite and systematic rules were adopted for the administration of those Mahals. However, the Government took drastic action on the rulers of those Mahals when they committed serious outrages and showed unwillingness to obey the Government orders. Such a policy was followed only in extreme cases. By the end of the East India Company's rule, two Tributary Mahals were confiscated by the Government out of eighteen, which was a clear proof of British paramountcy over those Mahals.

Conclusion

The East India Company ruled Orissa for 55 years. Within 13 years of their conquest, there broke out the Paik Rebellion which exposed for the time the weak foundation as well as the inherent defects of the new administration. In consequence of that the British instituted a searching enquiry into the conduct of their own affairs in order to avoid similar revolts in future. In fact, they succeeded in achieving the said objective. Orissa remained in peace for the rest of the Company's rule. The apparent and comparative ease with which the land was administered led the British to suppose that their policy was sound. They had no occasion to think if Orissa required the same attention as the neighbouring territories of Bengal or Madras. While administrative developments in other parts of India followed more or less a general pattern of elaboration and improvement, Orissa seems to have been left singularly neglected, and thereby denied of many advantages. The princely states were left to suffer their own indigenous systems, and that too, far away in their inaccessible seclusion, while the coastal districts which linked the Company's territories in Bengal and Madras were paid the minimum administrative attention. The consequences of such an apathy could not be realized by the servants of the Company during their tenure of rule. But an ominous future was stored for Orissa. Within 8 years of the end of the East India Company's rule, in 1866-67, Orissa fell victim to a calamity which took away one-third of her entire population, i.e., more than one million souls. The Orissa famine was like an epitaph on the East India Company's rule.[1]

[1] Speaking on the Orissa famine in the British House of Commons on August 2, 1867, Sir Stafford Northcote, the Secretary of State, gave the following concluding remarks: "This catastrophe must always remain a monument of our failure, a humiliation to the people of this country, to the Government of this country, and to those of our Indian officials of whom we had been perhaps a little too proud."

"Orissa was at that time almost isolated from the rest of India ; the only road, leading to Calcutta across a country-intersected by large rivers and liable to inundation, was unmetalled aud unbridged, and there was very little communication by sea..."[1] That the Company's administration did not pay any heed to improve communications even on the coastal belt of Orissa was a great blunder acknowledged by the British authorities themselves. The only road which was of any use was the Jagannath Road which existed long before the Company came, and whatever little improvement the latter effected on the said road was their major achievement in the field of communication. The same was not true in case of other parts of India. Communication by sea, which Orissa had known in her past centuries, had been closed with the advent of the Europeans.[2] The isolation of Orissa was one cause of the famine, but not the only cause. The series of experiments on land revenue administration, conducted through a number of years, had adversely affected the cultivation in general and had thrown the peasants into a state of perpetual misapprehension. The thirty years' settlement which was to expire shortly after the Company's rule had created doubts much in advance regarding the future of the land tenure. No new arrangement was in sight. "The tendency of such a state of things was undoubtedly to discourage agriculture : hence an inclination rather to contract than extend the assessable area and cultivation, and an uncertainty in the minds of all classes."[3] As the uncertainties of land system had ruined the people during the early years of the Company's rule, so also the same uncertainty towards the end became a potential cause of future catastrophe. The famine also revealed the character of the personnel to whose charge the Company had entrusted Orissa. The civil officers did not possess local experience and a very few of tham were men of any ability or talent. There are evidences to suggest that the Company's servants, selected for Orissa, were not of the same

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1 C.E, Buckland, *Bengal under the Lieutenant-Governors*, Vol. I, p. 330.

2 The Famine Commissioner observed : "The people, shut up in a narrow province between pathless jungles and an impracticable sea, were in the condition of passengers in a ship without provisions".

3 C.E. Buckland, *Bengal under the Lieutenant-Governors*, Vol. I. p. 332.

standing as for more difficult parts of the British Empire. When the entire administration found itself helpless to meet the calamity, the people at higher places began to charge the local officers with negligence, inexperience and inability and threw blame on them. It was admitted that "The Orissa Famine was the most intense India had seen". While the British Orissa "was plunged in one universal famine of extreme severity", no details of the suffering in the Tributary Mahals could ever come to light and even "the roughest approximate estimate of the mortality could not be given". The Company's administration in coastal areas was inadequate; the rule of the local chieftains was much worse.

The main defect of the Company's administration was that Orissa was never actively governed with a strong hand. The Government machinery did not communicate with the people in a direct manner. In many other parts of India during the period under reference, the Government maintained large number of executive functionaries. If Orissa did not possess a thorough governmental system, it was due to the inherent defect of the Bengal systems which was considered to be different from other system. Referring to the Bengal system, the Famine Commissioners observed: "It may be said that the country is administered judicially and not by the executive power. The executive reigns but does not govern. It has little executive machinery, and it may be said that it, on principle, avoids interference with the affairs of the mass of the people."[1] By the permanent zamindari settlement in Bengal, the Government transferred a large portion of responsibilities to the zamindars and "any executive interference with their ryots, or executive attempt to ascertain rights or even facts has been regarded as an infringement of the principles of the settlement." Consequently, the Collector had no direct connection with the people. The administrators and the administered remained far apart. This inherent defect of the Bengal administration was projected to Orissa where, for long 33 years, experiments of short settlements was carried on with the zamindars. Though, in the long last, the permanent zamindari settlement of the Bengal pattern could not be intro-

[1] Report of the Commissioners on the Famine in Bengal and Orissa, Vol. I, p. 128.

duced in Orissa, yet the raiyatwari system of Madras was also not enforced fully. The mahalwari settlement, which was finally introduced, did not remove the shortcomings of the Bengal system. The Government officers could not come into direct contact with the people and as such failed to understand their real needs. The gulf of difference between the rulers and the ruled had widened due to another factor. From the days of Cornwallis, it was assumed that the Indians were not worthy of trust, and hence they were not placed in any position of responsibility. The appointment of a large number of high-paid European officers either at the centre or in the districts was not always possible on grounds of economy. Especially, the district administration suffered to a great extent on account of the dearth of officers. A small number of European officers could not do justice to their heavy responsibilities and consequently the people suffered.

In course of time such a policy was abandoned for good. Indian agency was revived and extended, especially in the administration of civil justice. Revenue Officers were vested with some judicial powers, and in most cases, the office of the Collector was combined with that of the Magistrate. It was Marquis of Hastings who started reforming the inherent defects of the Cornwallis system. Lord William Bentinck, who inaugurated an era of liberal reforms, elaborated the policy of giving Indians their proper place in administration.

Such administrative changes, however, did not basically alter the real character of the district administration in Bengal. Of course, the people of Bengal, with the seat of East India Company's Government at Calcutta, with the spread of western education and growth of consciousness, with their growing freedom for organisation and association, were in a position to draw the attention of their rulers to their genuine grievances. Orissa was totally in a different condition. It was remote, inaccessible, and far from educational or political consciousness. The Lieutenant-Governor paid almost all his attention to administer Bengal proper and consequently neither he nor other heads of administration could do justice to the administration of Orissa. It was pointed out later on by Englishmen themselves that the system of administration caused a defect of information and an unwillingness to take

direct action on the part of Government which drove Orisas to untold miserihs. The British "wrongly applied to Orissa principles of administration which were at any rate applicable only to the permanently-settled districts of Bengal".

It is obvious that from the very time of their conquest the servants of the East India Company looked upon Orissa as a mere source of revenue. In the context, of the time, of course, the Company was not at fault by not thinking of welfare measures as they are understood in modern times. Yet, some attention could have been paid to such matters as irrigation and education to give Orissa the same benefits as enjoyed by many other parts of India. As regards irrigation, no work was executed during the Company's time. It was only after the transfer of power that for the first time a contract was signed in June 1862 between the Government and the East India Irrigation and Canal Company for the construction of three canals in Orissa.

In matters of education, no interest was shown by the Company though the missionaries had begun their educational activities as early as 1823 by establishing an English Charity School at Cuttack. The Government took over the management of the said school in February 1841. Nothing more was done for a number of years except establishing a few vernacular schools. In some quarters of Orissa there was a demand for English education. For example, the people of Balasore petitioned several times for an English school in their town, but the prayer was turned down. In 1854 the number of schools directly managed by the Government in the entire Mughalbandi area was only three English and eight vernacular schools.

The Education Despatch of 1854, which marked the beginning of a new phase in the educational policy of the Government, brought no advantage to Orissa. In 1856 G. F. Cockburn, the Commissioner of Cuttack, tried to improve the position, but the Lieutenant-Governor of Bengal turned deaf ear to his suggestions.[1] Thus the condition of education in

[1] Cockburn pleaded for the creation of a separate post of Inspector of Schools for Orissa, and suggested for the establishment of several Government schools and a Normal School to impart training to teachers.

Orissa at the end of the Company's rule remained lamentable. The report of the Inspector of Schools, South-West Bengal, for the year 1857-58, gives the following picture. There were three zilla schools in the headquarters of the three districts and the number of pupils on roll were: Balasore English School 80, Cuttack 113, and Puri 89. There was one Anglo-Vernacular School at Bhadrak which received a grant-in-aid of 30 rupees per month from the Government. Besides, there were only 16 vernacular schools in the whole province.[1]

Apart from the miseries arising out of the inadequate attention paid by the authorities, the Company's period also hastened the process of economic decline of Orissa which had already begun from the days of the Marathas. The British historians who contrasted the poverty of British Orissa with the prosperity of medieval Orissa were apt to throw most blames on the Marathas, but at the same time they did not hesitate to criticise the Company's administration for further deterioration in the condition. Writing about the condition of Orissa after the British conquest, George Toynbee says: "From the fact that the Dutch, French, Danes, and English, all established factories there about the middle of the seventeenth century, it is evident that Orissa was once a province of more commercial importance than when we took it...The incursions and oppressions of the Marathas put an end to whatever commercial prosperity the province may once have possessed, and the trade in rice and salt, which had survived Maratha misrule, was considerably diminished when the Government asserted its rights to the monopoly of the latter article."[2] The once flourishing ports of Orissa at Pippli, Balasore, Chudamani, Dhamrah, Harishpur, Bishnupur, Puri, Manikpatna and other places declined so rapidly that within a short period they could not even be recognized as ports. The trade and commerce came to such a condition that the merchant class of Orissa disappeared into the mass of poor people and lost its identity. At many places, as it was said "trade is hardly now known even by name." Among other factors of the economic decline, the ruin of cottage industries,

[1] General Report on Public Instruction of the Lower Provinces of the Bengal Presidency for 1857-58.

[2] G. Toynbee, *A Sketch of the History of Orissa, 1803-1838*, pp. 87-88.

notably the weaving industry, proved fatal to Orissa. Within a quarter century of the Company's occupation it was seen that large quantities of clothes were being imported from Europe and sold at cheap rates. People generally preferred cheap foreign goods to costly indigenous products. The exports of Orissa became confined only to grain. Even that trade passed to the hands of the merchants of Bengal and Madras.[1] The trade of salt earned for the people a considerable income but the establishment of Government salt monopoly destroyed the private export trade which formerly existed. The East India Company tried to cultivate in Orissa indigo, cotton, ganja, sugarcane, and tobacco but they did not pay any serious attention to production schemes. Consequently none of the said cultivation ever proved a success.

The Company's administration drained the resources of Orissa by way of revenue, monopoly, excise and tributes. A considerable proportion of what Orissa could ill afford to spare, in silver currency, began to be annually sent out of it. In 1818 Walter Ewer observed : "The greatest annual remittance of surplus revenue to the treasury of Nagpore never exceeded, as far as I can learn, four lakhs, and this sum, it is well known, was almost invariably remitted by bills of exchange. The average annual remittance from the treasury of the British Collector alone to Calcutta has been equivalent to upwards of 7½ lakhs of siccas since our acquisition of the province."[2] Within a few years, the Company's income from Orissa began to swell to greater proportion. Andrew Stirling estimated that by the year 1825 "the value of Cuttack to the Company, after deducting expenses of management, may be fairly assumed at upwards of 30 lakhs of rupees per annum". The annual expenses of management during that period came to rupees 5 lakhs only. Hunter admits : "In 1803 when the country passed to ourselves, we did not venture to spend very much on our acquisition. We placed a Colleetor, or his subordinate, in the three district Capitals, and told him to get as much and spend as little as he possibly could.[3]

[1] Report of the Commissioners on the Famine in Bengal and Orissa, Vol. I, p. 13.

[2] BRP, No. 15 of July 17. Ewer to Government, May 13, 1818.

[3] Hunter, *Orissa*, Vol. II, p. 133.

Towards the end of the Company's rule, the total income of the Government came to more than 58 lakhs of rupees. The cost of administration per year was approximately rupees 20 lakhs. Thus, on an average, the Company carried away 38 lakhs of rupees per year. This continuous drain without any equivalent return of any kind led progressively to the poverty of the people.

Considered from different angles of view it may be said in conclusion that the period of the East India Company, instead of indicating any change for progress in the material condition of Orissa, left for the future a legacy of stagnation and economic deterioration. That partly accounts for the general poverty and backwardness of Orissa throughout the rest of the British rule.

I Appendix

The text of the Proclamation issued on Sept. 15, 1804 and Incorporated in the Regulation 12 of 1805

First—Whereas it is the intention of the British Government to adopt at the expiration of the present Amli year such a plan for the settlement of the landed revenue of the province of Cuttack as may be most conducive to the prosperity of the country and to the happiness of the inhabitants; and whereas it is of the utmost consequence to the success of the measure, as well as to the interest of the zamindars, talukdars, and all others concerned, that the nature and terms thereof should be made known as early as possible, notice is hereby given :

Second—That at the commencement of the Amli year 1212 (1804-1805), the sayer of every denomination will be separated from the mal or land revenue and a Settlement for the latter only concluded in all practicable cases which the zamindars or other actual proprietors of the soil (unless when disqualified by notoriously bad character or other good and sufficient cause) for a period of one year, it being understood that all zamindars and other landholders , and all candytes shall for the present, and during the pleasure of Government, continue to perform the same duties of Police for the prevention of robberies, murders, and crimes of that nature and for the preservation of peace and good order within their respective limits and to be subject to the same responsibility, as heretofore :

Third—That at the expiration of the year 1212 another settlement will be made with the same persons (if willing to engage and they shall have conducted themselves to the satisfaction of the Government, for three years, at a fixed equal annual jama, which jama shall be formed upon a just and moderate consideration of the receipts in the year 1212 and former years.

Fourth—That at the expiration of the fourth year a new

settlement will be made with the same persons (if willing to engage and they shall have conducted themselves to the satisfaction of Government) for a further period of four years, at a fixed equal annual jama, formed by adding to the annual rent of the preceding lease of three years, two-thirds of the nett increase of revenue during any one year of that period :

Fifth—That at the end of the lease for four years (which will be in Amli year 1219 i.e., 1812) a further settlement for the period of three years will be concluded with the persons in possession (if willing to engage and they shall have conducted themselves to the satisfaction of Government) at a jama to be formed by adding to the annual rent of the preceding lease of four years, three-fourths of the nett increase of revenue during any one year of that period:

Sixth—That at the end of these eleven years, which will be in 1222, a permanent settlement will be concluded with the same persons (if willing to engage and they have conducted themselves to the satisfaction of Government, and if no others who have a better claim shall come forward) for such lands as may be in a sufficiently improved state of cultivation to warrant the measure, on such terms as Government shall deem fair and equitable :

Seventh—The nankar lands of those zamindars who may decline entering into engagements for their estates as also of those whose offers may be rejected by Government, will be subject to the payment of revenue equally with other lands in the district but such zamindars shall for the present continue to receive in money an equivalent for what they have hitherto received as nankar from the Maratha Government :

Eighth—That with respect to such zamindaris as may have been mortgaged or transferred in security and possession thereof actually given to the mortgagees or securities, the settlement will be made with the person in possession of the land as the temporary representative of the proprietor, leaving the latter to obtain possession either by a private settlement of accounts or by a judicial process :

Ninth—That the settlement of such small taluks or zamindaris as may be only nominally included in large zamindaris in the sadar jama of which their jama may be comprehended, will be made separately and distinctly with the proprietor of

such small estates, and they will be allowed to pay their revenue directly to the Collector or the person appointed by him to receive it; and in all cases where the revenue of a village has for upwards of five years past been paid direct to Government by the hereditary muqadum the settlement for such village will be made with the hereditary muqadum :

Tenth—Thât with respect to such lands as are without proprietors, or the proprietors of which decline entering into engagements, a village settlement shall be made, and a preference given to the hereditary muqadum of those villages to which the lands belong, but no settlement is to be made with a muqadum for lands not included in this muqadami :

Eleventh—That in the event of neither propriators, muqaddams, nor other respectable ryots being forthcoming such lands as are in that predicament will be held khas :

Twelfth—That all authorised abwabs are to be consolidated and incorporated with the land rent and expressed in the Pattahs and Kabulyats, that nothing but what is there expressed shall be collected from the ryots or under-renters :

Thirteenth—That all persons who may enter into engagements for the Settlement must bind themselves by written obligations to grant pattahs of the above description to other raiyats and under-renters :

Fourteenth—That all persons who may enter into engagements with Government must previously give security for the fulfilment thereof in an amount equal to the largest kist of their annual jama ;

Fifteenth—Several of the tributary Rajas have been accustomed to furnish guards and be responsible for all robberies committed within the Mogulbundy lands bordering on their respective territories, and for which they have formerly been allowed to levy a tax called Choupunny or Mongumkhandity : those Rajas are to continue to furnish the usual guards and be subject to the same responsibility as heretofore; but, instead of being permitted to levy the above-mentioned tax, the said Rajas will, until further arrangements can be made, receive an equivalent in money from Government :

Sixteenth—Such being the provisions made for the preservation of the rights of the zamindars, raiyats, &c. &c. and for the effectual prevention of undue exaction, there cannot be a

doubt that confidence in the protection of Government will be established amongst all ranks of people; that cultivation will be extended; and that the general prosperity of this province will rapidly increase.

II Appendix

Wholesale rates current in the mofussil for various articles of common consumption between 1811-1817

Articles	*No. of Cuttack seers of 105 tolahs per sicca rupee*							*Average*
	1811	*1812*	*1813*	*1814*	*1815*	*1816*	*1817*	
Arooa rice 1st quality	36	39	29	24	28	31	25	30
Ditto, 2nd	32	46	31	29	38	33	31	34
Usna rice 1st	42	47	31	29	37	35	33	36
Ditto, 2nd	47	51	36	32	46	42	37	41
Paddy	97	112	83	78	85	100	75	90
Dal (harara)	14	15	17	18	19	21	15	17
Dal (moong)	12	18	18	20	27	26	19	20
Biri (kalai)	39	43	42	40	33	33	26	36

	Sicca							
	Rs.	*A*	*Rs.*	*A*	*Rs.*	*A*	*Rs.*	*A*
Salt Per maund of 105 tolahs	4	0	4	0	4	0	4	0
Ghee ditto ditto.........	17	5	18	6	20	0	18	9

			Sicca Rs.	A	P	
Cotton, per maund of 80 tolahs		—	18	0	0	
Cotton yarn,	ditto	—	120	0	0	Rs. 80 and Rs. 40 according to quality
Sugar	ditto	—	8	0	0	
Betelnuts	ditto	—	6	8	0	
Common lamp oil	ditto	—	9	0	0	
Cocoanut oil	ditto	—	20	0	0	
Tobacco	ditto	—	4	0	0	to Rs. 6
Country blankets	each	—	1	8	0	to Rs. 2.8
Gunny bags	...	—	0	2	0	
Raw hides	...	—	0	12	0	
Cocoanuts Per 1,000		—	25	0	0	

III Appendix

Various statistics of the Tributary Mahals compiled by Henry Ricketts in 1839

Name of Mahals	*Tribute paid to Govt. (in Rs.)*	*Estimated Rent Roll as received by the Rajah including all cesses and exaction (in Rs.)*	*Areas in square miles*	*No. of armed Paiks which can be brought to the field*
Mayurbhanj	1001- 0- 0	50,000	15,000	8,000
Keonjhar	2790-11- 3-1	30,000	22,000	15,000
Nilgiri	5617- 6- 9-2	16,000	400	550
Dhenkanal	4780- 5-15-2	50,000	10,000	7,000
Angul	1550- 6- 4-0	25-000	1,250	4,000
Daspalla	620- 2- 9-2	20,000	500	500
Talcher	974-10-16-3	12,000	250	700
Hindole	516-12-14-0	9,000	200	500
Narsingpur	1364- 8-15-1	12,000	250	1,500
Tigiria	826-13- 9-2	8,000	150	400
Baramba	1310- 9-10-1	12,000	150	1,000
Khandpara	3948- 5- 2-2	20,000	300	2,000
Nayagarh	5179-14-16-2	35,000	1,900	6,000
Ranpur	1313- 4- 6-1	15,000	200	1,500
Athagarh*	6848- 8- 7-0	15,000	200	1,500
Banki	4162- 4- 7-2	30,000	750	2,000
Baud	750- 0- 0-0	25,000	700	2,000
Athamallick	450- 0- 0-0	8,000	200	500
Total	43,905-12-18-0	3,91,000	54,100	54,650

Remarks : The area is taken from the old papers in the office, but I believe it to be greatly exaggerated. The aggregate area cannot much exceed 20,000 square miles.

* Mills revised the Govt. tribute of the Mahal and reduced to Rs. 4,445-0-0.

IV Appendix

Rules for the administration of the Tributary Mahals Formulated by A.J.M. Mills in 1840

Rule 1 declares the Rajahs cannot exercise the power of life and death.

Rule 2 abolishes the practice of Suttee, and human sacrifices, and declares all persons convicted of aiding and abetting in such practices, guilty of culpable homicide.

Rule 3 prohibits Rajahs from engaging in hostilities with their neighbours.

Rule 4 empowers Superintendent to take cognizance of charges of murder, homicide, torture, robbery, and other crimes of enormity, by whomsoever committed, and to try any criminal whom the Rajahs may commit to him for trial.

Rule 5 restricts the interference of the Superintendent, in other matters of criminal justice, to the suppression of feuds and animosities between Rajahs, between members of their families, or between the Rajahs and their subjects, to the correction of systematic oppression, to the cognizance of any violation of their duties of allegiance and subordination, and generally to important points, which, if not attended to, might lead to general outrage or confusion, or to contempt of the authority of Government.

Rule 6 gives the Raja control over their subjects, with authority to Superintendent to interfere in extreme cases.

Rule 7 vest the Superintendent with the cognizance of all criminal offences in attached Killahs, as well as all offences committed by the inhabitants of any Garjat Mahal within the boundaries of another Garjat Mahal, and by all persons not inhabitants of the Garjat.

Rule 8 declares Rajahs to be liable to such punishment as the Government may deem adequate, extending to death and confiscation of their country in cases of murder, and other cases,

to such punishment in person or property as may seem fitting.

Rule 9 provides for the transmission of proceedings to Government in cases of murder and other heinous crimes proved against the tributary Rajahs.

Rule 10 holds the Rajahs answerable for all property stolen within their Territories under certain circumstances.

Rule 11 provides for the conduct of trial in the form and manner prescribed by the Regulations.

Rule 12 gives the power to Superintendent to sentence offenders, not Rajahs, to imprisonment for 7 years; any severer punishment, which it is proposed to inflict, to be reported for confirmation.

Rule 13 provides for sentences to be carried into execution under the provisions of Section 3, Regn. IX of 1822. (Note: They are to be reported half yearly for formal confirmation.)

Rule 14 provides for the trial of any British subject for an offence committed in the Garjat, before any of the established Courts of Justice, if deemed advisable.

Rule 15 authorizes the Superintendent to call on the Rajah to appear before him in person, or by Mookhtear, to answer any charge which may be preferred against him, and provides for the trial of the case according to the spirit of the Regulations.

Rule 16 interdicts the Superintendent from enforcing the personal attendance of the Rajah without the permission of Government.

Rule 17 requires Rajahs to deliver up to the Superintendent any fugitives charged with heinous offences, who may conceal themselves in their Estates.

Rule 18 permits the Superintendent to exercise discretionary interference and authority in cases not provided for in the Rules.

V Appendix

Map of Orissa and the Tributary States

(Published under the direction of Colonel H. L. Thuillier R. A., F. R. S., Surveyor General of India. Surveyor General's Office, Calcutta. Nov., 1871)

STATISTICS OF ORISSA IN 1870

Name	*Area in square miles*	*Population*
Cuttack	3,178	1,293,084
Balasore	2,041	485,113
Puri	2,504	540,995
Tributary States	16,184	961,355
Total	23,907	3,280,547

Glossary

Abra — a superior variety of kurkutch salt.

Abwab — miscellaneous cesses, imposts, and charges levied by zamindars or public officers illegally in addition to the regular assessment on the land.

Adalat — a court of justice.

Amil — an officer of Government in the financial department, especially a collector of revenue; also himself a farmer of, or contractor for, the revenue under the native system, and invested with supreme authority, both civil and military, in the district which he farmed.

Amin — a nâtive surveyor of land, an officer who measures the land in the settlement. Also, a native officer of Government, employed either in the revenue department to take charge of an estate and collect the revenues on account of Government, or to investigate and report their amount; or in the judicial department, as a judge and arbitrator in civil cases.

Amla — a native officer of judicial court or revenue office.

Aurang — a manufacturing division of a salt agency; also a place where any article of trade is manufactured and collected for wholesale disposal or export.

Barkandaz — a matchlock man, but commonly applied to a native armed with a sword and shield who acts as a door keeper, watchman, guard or escort.

Bazar — market.

Bhog — offering to deity in the form of food articles.

Bhowri — a house for boiling salt.

Bigha — a measure of land varying in extent in different parts of India. In Cuttack the bigha is generally considered to be a standard acre.

Chakla — a large division of a province comprehending a number of parganas.

Char Chitty — a delivery order.

Chhatak — one sixteenth part of a seer.

Chowdhury — a headman of a village, a holder of landed property classed with the zamindar and talukdar. In Orissa the Chowdhury was the revenue officer of a division.

Chowkey — the act of watching or guarding property, etc. Station of police or of customs, a post where a guard is placed.

Chowkidar — a village watchman, a police or custom peon.

Chulha — a fire place for boiling brine.

Cutcherry — a court, an office, or the place where any governmental business is transacted.

Daffadar — the head of village watchmen, a rank superior to chowkidars.

Darogah — a manager, a superintendent; especially the chief native officer of a police, custom or excise station.

Dastak — a passport, a permit, a warrant. In Orissa it was applied especially to a process by which a revenue defaulter was compelled to pay any balance that might be due to him.

Dewal — temple.

Diwani Adalat — civil court.

Faujdar — the chief of a body of troops. An officer of the Mughal and Maratha Governments, who was invested with the charge of the police and jurisdiction in all criminal matters.

Faujdari Adalat — criminal court.

Ganja — a kind of intoxicating drug prepared from the hemp plant (cannabis sativa). The plants whilst young are dried and pounded, and then used in smoking.

Ganda — one unit of native currency system, equivalent in reckoning to four kauris or the twentieth part of one anna.

Ghat — a landing place, steps on the bank of a river, where custom duties are collected.

Gola — a warehouse. a place in which grain or salt is kept for a season; also a grain or salt, market, a place where grain or salt is sold wholesale.

Gumashta — an agent; a confidential representative, appointed by zamindars to collect their rents, by merchants to carry on their affairs in other places than where they reside, and the like.

Hastobud — a comparative account showing the present and past produce of an estate; a detailed statement of any lands yielding revenue.

Jagir — a tenure common under the native Governments in which the public revenues of a given tract of land were made over to a servant of the state. The assignment was either conditional or unconditional. It was also either for a stated term, or more usually for the life time of the holder, and it was sometimes specified to be a hereditary assignment.

Jagirdar — the holder of a jagir.

Jama — the total amount of rent or revenue payable by a cultivator or a zamindar, including all cesses, as well as land-tax.

Jamadar — an officer of police, customs, or excise, second to the darogah.

Jatra — a religious fair.

Jatri — a pilgrim.

Kabuliyat — a written agreement ; especially one signi-

fying assent, as the counter-part of revenue lease, or the document in which a payer of revenue, whether to the government or the zamindar, expresses his consent to pay the amount assessed upon his land.

Kahan — a measure of kauri currency, equal to 16 panas of kauri shells or 1280 kauris.

Kangal — destitute.

Kanungo — a revenue officer who, under the native governments recorded all circumstances within their sphere which concerned landed property and the realization of the land revenue, kept registers of the value, tenure, extent and transfers of lands, and assisted in the measurements and survey of the lands.

Kauri — shell of small gastropod found in Indian ocean used as money.

Khairat — charity; lands given as charitable endowments.

Khalat — a dress of honour; any article of costume presented by the ruling or superior authority to a subordinate as a mark of distinction.

Khanja — lands allotted to persons or institutions, both religious and social, for specific purposes by kings, zamindars and others.

Khas — as a revenue term, it is applied to the management of estates and the collection of revenue by officers of the Government, without any intermediate person between them and the cultivators, also to lands held by zamindars and cultivated by themselves for their own benefit.

Khond — a tribal people inhabitating the hill tracts of Orissa, Andhra Pradesh and Madhya Pradesh.

Khoraki — diet allowance.

Killa — a fort, a fortress, a castle.

Kist — the amount paid as an instalment of re-

venue or rent; the portion of the annual assessment to be paid at specified periods in course of the year ; such periodical payment is called a Kist.

Kurkutch — salt obtained by solar evaporation.

Lakhiraj — rent-free land, applied to land exempted for some particular reason from paying any part of the produce to the state.

Mahal — In the language of the Bengal regulations, a mahal is called an estate, and is defined as any parcel or parcels of land which may be separately assessed with the public revenue. Any local area held under a separate engagement for the payment of the land revenue, and for which separate record of right has been framed.

Mahalla — a division of a town, a ward.

Mahaprasad — holy food of Jagannath.

Malangi — a manufacturer of salt.

Malikana — allowances paid to a proprietor of an estate on his becoming recusant.

Math — a religious institution resembling a monastery or abbey.

Mathdhari — the head of a math, an abbot.

Mauza — a village or a group of villages; a parcel or parcels of lands having a separate name in the revenue records.

Mofussil — the villages in general, the stations in the villages as opposed to the sadar or principal town or station.

Muharrir — a clerk, a scribe.

Mukaddam — the headman of a village, a class of proprietory tenure-holders or sub-proprietors.

Munshi — a secretary, a writer; a term applied by Europeans usually to teachers or interpreters of Persian and Hindustani.

Munsiff — a judge, applied under the British Government to a native civil judge of the first or lowest rank.

Nizamat Adalat — court of criminal justice.

Padhan — a class of proprietary tenure-holders or sub-proprietors.

Paik — the paiks constituted a local militia holding the lands of the military chiefs or Rajas by tenure of military service.

Pana — a sum of 80 kauri shells equal to 20 gandas. 16 panas make a kahan.

Panda — a priest of a Hindu temple.

Panga — salt produced by boiling the brine.

Pargana — a tract of the country comprising many villages; name of a fiscal division of the Mughals and Marathas which was also retained by the British.

Parihari — a servant of Jagannath, who conducts the pilgrims through the doors and presents them to Jagannath.

Parwana — an order, a written command, a letter from a man in power to a dependant; a custom-house permit or pass.

Patta — a deed of lease, a document given by the collector to the zamindar, or by some other receiver of revenue to the cultivator or under-tenant, specifying the conditions on which the lands are held, and the value or proportion of the produce to be paid to the authority or person from whom the lands are held.

Peshkash — a tribute, a quit-rent, a fine or present to the ruling power on receiving an appointment or assignment of revenue, or on a renewal of a grant or the like.

Phandi — a police out-post.

Purcha — a head officer or superintendent, one of the managers of the Temple of Jagannath.

Raiyat — a subject, but especially applied to the agricultural population, a cultivator, a farmer, a peasant.

Raiyatwar — according to or with raiyats, applied to revenue settlement.

Rowanah — a passport, a pass, a certificate from a

collector of customs authorising goods to pass without payment of further duty.

Sadar — usually means the chief seat of Government, principal town or city as opposed to mofussil.

Sadar jama — the sum total of revenue payable to the Government exclusive of the charges of collection etc.

Sanad — a grant, a charter, a patent; a document conveying to an individual emoluments, titles, privileges, offices, or the government rights to revenue from land etc., under the seal of the ruling authority.

Sarai — lodging-house for travellers.

Sarbarahkar — In Orissa the title was given to the village accountant when he was the general director and manager of the revenue affairs, being paid by a percentage on the collections of his village; in some cases the office had become hereditary and could not be alienated without the permission of the zamindar.

Sayar — It denoted all other sources of revenue accruing to the Government excluding land revenue from a variety of imposts such as, customs, transit duties, licence fees, house-tax, market tax, etc.

Sherishtadar — a record keeper, applied especially to a head native officer of a court of justice, or collector's office.

Sicca — a stamped coin, especially the designation of the silver currency of the Mughal Kings adopted by the Indian princes and eventually by the East India Company.

Subahdar — the Governor of a province, a Viceroy under the Mughal and Maratha Government.

Tahsildar — a native collector of revenue.

Taluk — an estate, applied to a tract of proprietary land usually smaller than a zamindari

	although sometimes confounded with a zamindari.
Tanki	— a light or quit-rent.
Tankidar	— the holder of land at a light or quit-rent.
Tari	— fermented juice of a palm tree.
Thana	— a police station.
Vakil	— an attorney.
Zamindar	— a land lord; a proprietor directly responsible to the State for the revenue of the land he possesses.
Zamindari	— the office and rights of a zamindar; the tract of land constituting the possessions of a zamindar.
Zilla	— a district, a division.

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